Volume

1

REPORT

# of the

SELECT COMMITTEE ON EDUCATION

VOLUME I

SUBMISSIONS AND RECOMMENDATIONS

MARCH 31, 1992

Second Session of the Fifty-Fifth General Assembly

92-04939/

House of Assembly
Nova Scotia

March 31, 1992

Mr. Rod MacArthur
Chief Clerk of the House
Province House
2nd Floor
Hollis Street
Halifax, Nova Scotia

Dear Mr. MacArthur:

In accordance with the provision of paragraph (d) of Resolution 2088 (as amended) of the proceedings of the 55th General Assembly of the Nova Scotia House of Assembly, I am pleased to table this final report of the Select Committee on Education in compliance with paragraph (c) of that Resolution.

Derrick J. Kimball, MLA
Chairman

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RESOLUTION 2088 (as amended)

Be it resolved that

(a) this House declares pursuant to the Rules and Forms of Procedure of the House of Assembly that a Select Committee is established to consult with Nova Scotians on the following matters:

(i) the taxation authority for district school boards including provisions with respect to plebiscites;

(ii) whether there should or should not be school trustees and, if so, what their role should be;

(iii) matters respecting school board by-laws, school board administration and the duties of a school board;

(iv) discipline of students;

(v) attendance regulations;

(vi) payment of school board members;

(vii) public reporting of salaries and expenses of school board members and employees;

(viii) the provision of community facilities in connection with schools;

(ix) layoff provisions;

(x) whether expanded powers should be given the Minister of Education and the Governor in Council in respect of school boards whose operations are either educationally unsound or effectively insolvent;

(xi) should the provisions respecting Christian morality be amended to refer only to morality;

(xii) teacher classification;

(xiii) school closings and the authority to determine school closings;

(xiv) provisions relating to Acadian schools; and

(xv) School dropout rates.

(b) the Select Committee shall consider first matters relating to the powers of taxation and make a final report on those matters by October 31, 1991;

(c) the Select Committee shall consider all other matters referred to the Committee and report no later than March 31, 1992;

(d) notwithstanding the usual practices of this House, if the House is not sitting when an interim or final report of the Committee is completed that the Committee report its findings by depositing its report with the Clerk of the House and it shall thereupon be deemed to have been laid upon the Table;

(e) this House declares pursuant to the Rules and Forms of Procedure of the House of Assembly that the Select Committee be composed of nine members selected by the striking Committee, five of whom shall be members of the Government Party, three of whom shall be members of the Official Opposition and one of whom shall be a member of any recognized Party in the House with the first named member being the chairman of the Select Committee;

(f) this House declares pursuant to Section 46 of the House of Assembly Act that the Select Committee not be dissolved by prorogation of the House and that the Select Committee is authorized to continue its inquiry after the House is prorogued;

(g) notwithstanding the said rules or any Rules of the House, the Select Committee of the House is empowered to examine and inquire into all such matters and things as may be referred to the Committee by this House and from time to time report to this House the observations and opinions of the Committee respecting matters and things referred to the Committee and the Committee is further empowered to send for and examine witnesses, papers and records, and to extend to any witness the protection of this House;

(h) the Select Committee is empowered to meet outside the province touching on matters pertaining to its study, review and recommendation;

(i) all the powers and privileges under the House of Assembly Act and amendments thereto and the Rules of the House applicable to standing and select committees while the House is in session shall apply and be of full force and effect during the sittings of the Select Committee;

(j) this House authorizes the Legislature Internal Economy Board on behalf of the Select Committee to employ such members and staff as may be necessary to enable the Select Committee to carry out its duties; and

(k) this House declares that the Legislature Internal Economy Board is authorized to provide the Select Committee, its members and staff with such facilities and funds as are required to carry out their duties and as are provided for by and pursuant to Section 80 of the Public Service Act.

STATEMENT OF PRINCIPLES

The Select Committee was mandated to consult with Nova Scotians on a number of matters related to the education system.

The Committee found, in the course of its extensive hearings, research and the considerable submissions made to it, that the matters referred to the Committee by the House of Assembly related to all aspects of the public school system in Nova Scotia.

When the Committee heard presentations regarding whether there should or should not be school trustees, the Committee was told that there was a need for greater communication between parents and schools, schools and school boards.

When the Committee considered school board bylaws, administration and the duties of a school board, the Committee learned that twenty-one different school boards across the Province had different notions of how school boards should function. There was no consensus of how the system should operate or should be accountable.

When discipline, attendance regulations and the dropout problems were examined, it was found that those problems were intimately connected with each other and what was happening, or not happening, in the classroom and in the home.

When provisions respecting Christian morality were dealt with, the Committee was told that the school system reflected our society -- lacking in values, and the most compelling reason to retain the term "Christian" in the midst of a pluralistic society was an attempt to cling to some standard of values.

When the authority to determine school closings was examined, the Committee was told that small communities were losing their voice in the education of their children.

When layoff provisions and teacher classification were dealt with, the NSTU and many teacher locals said the Committee had no business dealing with issues covered by a collective agreement; school boards and others insisted that these related directly to the quality of education and must be dealt with by government.

On matters of payment of board members, public reporting of salaries, expanded powers for the Minister of Education and Governor in Council and school board bylaws, there were two opposing views; let the boards decide, let the government decide.

The complex, interrelationship of these issues, the lack of easy answers and the sense that there was no public consensus on the direction the Province should move in threatened to paralyse the Committee and called on some to suggest the need for a Royal Commission.

There was a clear sense that the system was failing - certainly that it was failing some, and there was no clear notion of what it should be doing.

To answer any questions in isolation was tinkering.

Yet, what are the facts?

Is it a good system of education? Some said yes, some no. Who knows? And how do we know?

There are many concerned parents and Trustees, teachers and school board members, politicians at all levels - each with a different perspective.

There is little question that this consultation process comes at an appropriate time.

The public school system in Nova Scotia lacks accountability. There is a lack of direction or sense as to what we should be accountable for, or to whom.

Society generally is dissatisfied with our school system.

There are numerous objective indicators of our failure -- illiteracy, innumeracy, unimpressive international test scores, dropouts, and the lack of a coherent vision of what we are doing or should be doing.

School boards are concerned with balancing budgets. Administrators are concerned with "managing" the system. Teachers feel powerless and are made to feel guilty. Parents are frustrated and feel shut-out. Students are alienated, dropping out, or failing to "learn". The taxpayer feels he or she is paying too much and receiving a poor "product".

There is a general feeling of lack of accountability and a pervasive uncertainty as to who should be accountable for what and to whom. Who are we serving and for what purpose?

The partners to education -- the teachers, the school boards, the Department of Education, the parents and the students -- are in an uneasy relationship -- often with suspicion where trust should be, antagonisms where unity should be, alienation where cooperation should be.

In trying to find some answers, the Committee felt it appropriate to reiterate or establish some first principles:

(1) Any person over the age of five and under the age of twenty-one years has the right to attend school.

(2) Any such person should have the right to receive an education.

(3) The parents of children have a prior right to determine their child's education.

(4) Every child has the right to an equal opportunity to receive an appropriate education.

(5) Every child has the right not to lose that opportunity except in exceptional circumstances.

(6) The education system exists to serve the student and society.

(7) The system must be accountable to the student, the student's parents or guardian and society generally.

If those are the principles, what is happening in fact?

In reality, the system is not essentially concerned with accountability. Although most agree that is the issue, in fact the system does not expect it.

The education system is concerned with content (curriculum) and process (delivering). It is not, as presently constituted, concerned with outcomes. The system does not mandate or require any specific or known results.

We find that many of the concerns regarding the education system in fact relate to matters or issues that the system we have established is not concerned with it all.

It is little wonder that we are having problems.

It would be presumptuous to suggest the answer is easy. But, there is an answer to be found in a new direction and focus for our system. It will not solve all of our difficulties and those it does solve will not be solved overnight. But it will change our approach to education and will focus on objectives and on the principle that should underlie the system -- accountability.

To determine accountability, we must determine what we expect students to learn at each stage of their education. These are the expected education outcomes. When the education outcomes are established, we must assess. Assessment must take the form of universal, province-wide testing, preferably at grades 3, 6, 9 and 12. Testing must be mandatory. The outcomes of individual assessments must be known to the student, the student's parents or guardian, the school, the school board, and the Department of Education. Testing outcomes for schools and boards must be made public. With mandatory assessments and public reporting, accountability will follow.

Concurrent with assessments, must come a reorientation of our philosophy of schooling. If teachers and schools are to become accountable, then teachers must be put in charge of schools. Specifically, the principal teacher who should be chosen for his or her breadth of knowledge and experience and ability to lead and motivate, must be put in complete charge of the school. The principal will become responsible for the education outcomes in his or her school. The principal will be accountable to the board through the superintendent for the education outcomes in the school. The principal will be the leader and administrator of a team of professionals who will all clearly understand their responsibility, will know to whom they are accountable, for what and why. Where there is excellence, it will be known, where there is incompetence, it too will be known and it will be for the principal to deal with it appropriately.

We must decide what it is we expect of a student graduating from our schools and at each stage of that students education career.

We must define the duties of the superintendent of schools. We must define the duties of the school board. We must ensure that the definition of their duties require responsibility for education outcomes.

We must define the duties of the principal. Put the principal in charge of the school and responsible for education outcomes in that school. The principal will be responsible for the performance of teachers in the school. The principal will be responsible for identifying weaknesses, advising remedial training, or recommending the removal of a teacher unable to perform his or her duties.

We must define the rights and responsibilities of teachers, students and parents.

There is a chain of accountability that must be clearly defined and understood by all partners in education.

The outcomes for the school and board will be known to parents who ultimately have the right to decide if the school system managed by the school board they elected is performing.

Assessments will measure certain cognitive outcomes. Teachers will continue to assess cognitive as well as non-cognitive outcomes in the classroom.

The duties of a teacher to teach competently must be entrenched in legislation.

Educational outcomes must be established. Education outcomes must be known. Education outcomes must be assessed. Educational assessment results must be public. The school must be held accountable. Each school and its teachers will be judged on outcomes.

Students and classes that are in difficulty can be assisted. Teachers in difficulty can be assisted. Incompetent teachers can be removed from the system. The chain of accountability that leads from the teacher to the principal to the superintendent to the school board to the parent and student will be complete.

This cannot happen overnight. But the reorientation in our point of view, can happen immediately. Over time, we can improve the education outcomes by identifying our weaknesses and taking remedial action.

We can set goals and should set goals for standards of excellence across the board.

In some respects, the education system in Nova Scotia has been in turmoil over the last number of years. Education, the teaching profession, students and parents concerned with education have all been subjected to the tremendous changes that our entire society has been subjected to. Teachers, politicians, the media, and other opinion leaders in society, have all been under intense scrutiny and there has been a noticeable diminishing of respect and confidence. Teachers have shared in the consequences of a society's collective feelings of insecurity.

But there is great reason to hope. The teaching profession in Nova Scotia is for the most part a well-educated and dedicated group of professionals. They seek excellence in education. What is more important, they are essential to our attainment of that excellence.

It is the view of the Committee that teachers in Nova Scotia are ready for change and want change. They wish to regain the responsibility for the exercise of their profession and will reward the community by accepting accountability for their performance.

RECOMMENDATIONS

Section I

Trustees

The Committee recommends:

1. That trustees be permitted to remain as an option within every school district.

2. That boards of trustees not have the power to levy area rates.

3. That trustees be entrenched in legislation which sets forth criteria consistent with the following:

    (1) That trustees be elected every three years, from the area served by the school subject to the eligibility requirements currently set forth in the Act.

    (2) That trustees be required to hold a public meeting at least twice annually.

    (3) That trustees and school boards have the power to contract with respect to the raising of monies and the provision of certain services for specific purposes and that such monies raised and paid to a school board be allocated for those purposes and not to form part of the general revenue of the board.

    (4) That school boards have bylaw making power that will permit boards to confer upon boards of trustees the mandate to participate in and assist the board with the carrying out of the duties and responsibilities of the board as the board may direct including but not limited to:

        (a) The participation in the hiring of teaching staff and other employees.

(b) To assist with the student discipline process including the right to hear appeals from suspension subject to such guidelines as may be stipulated.

(5) To allow for the inclusion on the Board of Trustees of one student representative, elected from the student body of a junior or senior high school represented by the Trustees.

Section II

Bylaws, Administration, Duties of School Board

The Committee recommends:

1. That the office of Inspector of Schools be revitalized with inspectors for each division within the province and that there be not fewer than six divisions with appropriate amendments to legislation and regulations to reflect the enhanced role of the inspector as an educational ombudsman.

2. That a model set of by-laws be prepared by the N.S.S.B.A. in consultation with their membership to achieve some degree of uniformity in all those areas where by-laws impact upon students directly.

3. That specific amendments to the Education Act include an enumeration of those subjects on which school boards must pass bylaws and may pass by-laws.

4. That by-laws continue to receive approval from the Governor of Council.

5. That there be uniformity of reporting with respect to all matters of information specified in the Education Act and the Regulations and that the Department of Education in consultation with the NSSBA develop uniformity of reporting and where appropriate, compatibility in information transfer and communications to allow a more efficient collection, transfer and analysis of information and to ensure that more information is shared between boards.

6. That the Department of Education consult/negotiate with the NSSBA, the NSTU and the Association of School Administrators to determine the appropriateness of administrators being removed from the bargaining unit.

7. That all school boards and schools be subject to the jurisdiction of a Provincial Survey Team, to complete a total audit (financial, administrative, and educational) of each school board in the Province on a regular basis and any school as may be required by the Inspector of Schools or at the direction of the Minister, to ensure proficiencies, efficiencies and appropriate changes to be effected at the school board levels or in a particular school. During such audits, particular attention should be given to administrative efficiencies that would reduce the size and expense of school board administrations without impairing efficiencies and with respect to education outcomes in schools.

8. That the Department of Education in consultation with the NSSBA determine areas of financial efficiencies that may be achieved with inter-board cooperation including group purchasing and sharing of human and physical resources where that is appropriate.

9. That the NSSBA in consultation with the Department of Education review its school board members handbook to ensure that all school board members are aware of their responsibilities with respect to the finances, administration and education results in the school system under their charge and that there be a clear understanding of the relationships of accountability between the board, administration, staff and other employees and students, parents and the taxpayer.

10. That legislation be amended to provide the following:

    (1) That school boards meet at least once per month.

(2) That all meetings of school board be open to the public except for such meetings as may be stipulated by bylaw are required to be held in-camera due to the confidential nature of the subject matter of the meeting.

(3) A delineation of the duties, responsibilities, and accountability of the Superintendent of Schools.

(4) A delineation of the duties, responsibilities, and accountability of the school board.

(5) A delineation of the duties, responsibilities, and accountability of the principal of a school.

(6) A delineation of the duties, responsibilities, and accountability of the Inspector of Schools.

Section III

Discipline, Attendance and Dropout Rate

The Committee recommends:

1. That the Department of Education, in consultation with the NSTU, and the NSSBA, prepare a Province-wide discipline policy to ensure a degree of uniformity both with respect to the authority of teachers and expectations of students; specifying those types of behaviour that can attract out of class and out of school suspensions so that no student in the Province faces a suspension from class or school for an offence not common to the Province.

2. That there be a recognition that discipline problems, attendance problems and the student drop out rate are all inter-related in many instances and in a number of ways.

3. That particular initiatives be embarked upon related directly to the services and education provided to 'at risk' students and in particular;

(1) Each school board should designate a person on staff to coordinate the delivery of services required by students who cannot receive such services within the school system including necessary mental health services, public health services, community services, family and children services and other services offered by government or community agencies.

(2) That curriculum changes occur throughout the entire school system but particularly in the junior high school and senior high to provide for appropriate alternative programming for those students identified as requiring a partial non-academic programming in order for schooling to remain relevant (without compromising essential literacy and numeracy and science skills); a dedicated and mandated commitment of resource teachers particularly at the junior high level, that will be mandated by specified levels of school population; that guidance counsellors be introduced to the elementary school system with appropriate qualifications for the identification of social, cultural and economic needs of students, provided however, that if the provision of guidance councillors are not otherwise available, the principals of all elementary schools in the Province should designate one or more teachers within his or her staff to receive in-service training in guidance counselling.

(3) That career options counselling begin at junior high school as an integral part of cross curriculum teaching with specified and dedicated portions of the PDR and similar programming in each year of schooling from grade seven through twelve devoted to an enlightened and modern exposition of career options in all fields of endeavour.

(4) That special resources be mandated and applied for special education needs in the entire school system but with particular emphasis on school based identification and assessment in the early elementary years designed to ensure that no students are missed in the assessment, in-service training of all teachers in the school system from administrators through all specialists including classroom teachers (with the first emphasis to be on the classroom teachers) but beginning with elementary classroom teachers in special education training and awareness -- that such courses be provided by the Department of Education but that all teachers be required to take the program.

(5) That severely learning disabled students have the opportunity where appropriate to be able to access special learning institutions.

4. That each school board in the Province be required to approve a discipline policy embodied in a bylaw and having district-wide application which bylaw should not be inconsistent with the provincial discipline policy and which should provide for:

   (1) Those areas where schools may make rules and regulations peculiar to that particular school.

   (2) The provision for in-school suspensions.

   (3) The inputting to school discipline policies by student representatives in the junior high schools and senior high schools.

   (4) The requirement that all discipline policies effective in a school district be written, be provided to all students and their parents and such rules and policies stipulate expected behaviour and consequences for misbehaviour.

5. That with respect to attendance problems, that the Department of Education mandate a Province-wide assessment of attendance rates of all grades in the Province through a common reporting mechanism so that a Province-wide assessment of the attendance problem can be obtained and analyzed following which and in consultation with the NSTU and NSSBA, a Province-wide attendance policy with stipulated procedures, reporting requirements, appropriate powers, and follow up be instituted on a Province-wide basis which should take into account the following considerations:

   (1) That attendance should be maintained in each home room class and each speciality or subject class by home room attendance or subject attendance and that same be reported forthwith to the principal of the school.

   (2) That all absences without excuse or prior notification be followed up promptly with the parent or guardian by the school.

(3) That teachers be required to report to principals a properly documented attendance record for any student who the teacher identifies as 'at risk' or who is guilty of chronic absenteeism without appropriate medical or other excuse.

(4) That appropriate amendments be made to the Education Act to remove all reference to Family Court in procedures relative to Family Court from the Education Act as they relate to attendance or truancy.

(5) That an Attendance Board(s) be constituted for each school district in the Province who will in all cases of chronic absenteeism convene appropriate hearings in an impartial and non-judgmental fashion for the purpose of meeting with teachers, principals or other specialists in the school system as well as the student and the student's parent or guardian for the purpose of dealing with chronic absenteeism. The Act should be amended to provide the board with appropriate powers to:

   (a) Devise a program of instruction or to otherwise assist a student in dealing with any recognized or perceived problems that the student may be having with the school system, with his peers or with any aspect of his/her life that is interfering with a student's proper attendance at school, with the specific provisions that the Attendance Board would in the first instance be intended as a conflict resolution, proactive and constructive body designed to assist the student and;

   (b) Provide that in the event the needs of the particular student cannot be addressed in the school system, permit the Attendance Board to allocate any portion of that sum of money paid by the Province of Nova Scotia to the district school board for the education of that student to provide alternative assistance with the education of the student.

   (c) To make such other recommendations as the board sees fit.

(6) That the assessment of attendance and absentee patterns be carried out in the 1992-1993 school year with specific policies to be developed and implemented in time for the September, 1993 school commencement.

6. That with respect to the drop out problem, that the Province institute a Province-wide study on a board by board basis of the extent of the drop out problem, which study shall include all particulars relevant to determining causes and effects on individual students. In conjunction with such a study, based on recent statistics and on a compilation of statistics obtained on a common basis in the 1992-1993 school year, the Province to institute a review of all stay-in-school initiatives and other programs instituted within recent years in response to the school drop out problem with a view to analyzing, assessing and making specific recommendations with respect to the appropriateness of certain programming and their Province-wide implementation board by board. Such a study should be carried out by the Department of Education, NSTU and NSSBA.

The Committee recommends that school boards be required to publish statistics on dropout rates, or alternatively the Department of Education should publish and make public on a board by board basis the Provincial dropout rate, so that the public is aware of the magnitude of the problem and what is occurring year by year, Province-wide and in their districts.

The Committee recommends that not only should the Education Act mandate that all students between the appropriate ages be required to attend school, but that all exemptions from attendance be specifically set forth in the Act, as much as possible, and to include absence by reason of illness or any other medical excuse and the provision of at-home schooling or other education as approved by the Minister.

Section IV

Payment of School Board Members

The Committee recommends:

1. School board members be paid on the following basis:

   (1) School board members receive an annual stipend only.

   (2) School boards will not set their own annual stipend.

   (3) That the Minister of Education, in consultation with the NSSBA, appoint an independent commission to review school board members salaries and to fix the annual stipend provided for herein effective November 1, 1992 subject to the following guidelines:

      (a) That school board members' positions are not intended to be full time.

      (b) That there is a component of volunteerism in the position.

      (c) That there be a recognition that the position is time consuming, responsible and a proper performance of duties can have a deleterious effect upon a member's private affairs.

      (d) That there be a desire for uniformity across the province as much as possible but a recognition that differences in board size and geography are relevant.

      (e) There be an additional annual stipend for Chair of school boards and an annual stipend for Vice-Chair of school boards.

2. That the following expenses actually incurred be payable to members:

   (1) Mileage at the provincial rate from time to time then existing.

(2) Reasonable receiptable expenses for local expenses incurred.

(3) All expenses incurred in attending meetings, conferences, workshops, etc. outside of the school district including any necessary overnight accommodations, meals and auxiliary expenses that are approved by the Board from time to time.

3. That there be no meeting fees or other salaries, honorarium or expenses except as provided for herein.
4. That the above recommendations be incorporated in the Schools Act or Regulations made pursuant thereto.
5. That the Education Act contain within the bylaw making powers of School Boards the power to pass a bylaw dealing with procedural aspects of school board member's salaries and expenses not inconsistent with the provisions of the Act and Regulations as provided for above.
6. That prior to the next school board elections, and prior to every election thereafter, the independent commission review school board members salaries subject to the foregoing guidelines.

Section V

Public Reporting

The Committee recommends:

1. That the appropriate legislation be amended to provide that the salaries and expenses of School Board members and all employees be made available to the public.
2. That such information be contained in a document to be produced by each school board once a year within two months of the completion of each fiscal year.

3. **That the reporting requirements be set forth in guidelines to be established by regulations which should provide that the reporting requirements indicate the name, all income and all expenses paid to every individual employed by the Board in any capacity or for any period of time throughout the year for which the report is filed.**

4. **That such information be filed with the Department of Education, Government Information Services for the Province of Nova Scotia and provided free of charge to anyone who requests it, provided however, that the public reporting required herein be no more stringent with respect to the reporting of salaries than that required pursuant to the reporting requirements of the Province of Nova Scotia in the Supplementary to the Public Accounts.**

It is unnecessary to mandate that such information be published in the local media. As public information, it will be available to the media or anyone else who wishes to publish it.

Some concern was expressed that reporting requirements would be expensive and time consuming. This is information which every school board has or ought to have readily at its disposal. Moreover, printing this information in a form readily understandable to all concerned would be a benefit not only to the public but to School Board members, trustees, P.T.A.'s etc.

The Committee also recommends that similar legislation and/or regulatory changes be made to the Municipal Act and Towns Act and the City Charters to require the public reporting in a similar fashion of the salaries and expenses of councillors and employees of all municipal units in the province in a similar fashion.

Section VI

Provision of Community Facilities

The Committee recommends:

1. There be provision for community facilities in connection with schools in accordance with the following:

    (1) That the Department of Education, in consultation with the NSSBA, determine Province-wide minimum guidelines to be mandated by legislation providing for:

        (a) the use of the community facilities on a cost recovery basis only by all non-profit charitable organizations, political organizations, and community groups.

        (b) provision for profitable recovery for business or other organizations.

        (c) the entering into of contracts between school boards and municipal units providing for the payment of the capital cost of a community facility as well as the cost of maintaining and operating such facilities in connection with schools.

    (2) That there be by-law making powers for each school board which shall meet the minimum provisions contained in the guidelines and providing for:

        (a) the entering into of contracts with municipal units,

        (b) the allocations of administrative control over school facilities

        (c) a district board policy applicable to all schools in the district.

2. No additions or school construction be undertaken in the Province of Nova Scotia without prior consultation with local communities and municipalities to determine whether it is appropriate to incorporate within the proposed addition or new facility, additional facilities for the purpose of enhancing the school for students and community alike, to be paid for in part or in whole by municipality, community or other groups. Provided however in the event that such arrangements are to be entered into, the following criteria should apply:

(1) The School Board shall be the operators of all school facilities within the district, subject only to any agreement in writing providing for joint operation with a municipal unit or other local authority.

(2) That in reaching such arrangements or agreements, the primary purpose of school facilities as places of education for students shall be of paramount consideration.

(3) The place of schools as centres for community activities and as focal points of community gatherings should be encouraged and fostered both during school hours and after school hours, on weekends, holidays and during the summer and other breaks in all respects but so as not to be inconsistent with the primary function of such facilities.

(4) That there be a clear differentiation of responsibility for maintenance, repairs, and depreciation of such buildings between the parties to the agreement.

Section VII

Layoff / Classification

As the Committee has heard repeatedly, the issues of teacher layoffs and classifications are matters that are dealt with in the collective agreement and affect the rights and privileges of teachers. At the same time, the Committee has heard that both of these issues, in many instances, impinge upon the quality of education in the classroom.

In any ordering of priorities, the quality of education must have precedence over everything including issues of seniority or job classification. Such an ordering recognizes what is an implicit and should be an explicit goal of education and that is the provision of the best quality of education possible in the public school system, as well as recognizing that the entire system, including the teaching staff, exists to serve the students education.

There can be little doubt that the current system of teacher classification bears little relationship to educational outcomes. **In consensus with the overall thrust of this Report in this regard, it is essential that a system of classification be devised consistent with identifiable educational outcomes.**

As the Committee has determined, there is no definition of a qualified teacher. Technically, a teacher is a teacher and is essentially qualified to teach any subject.

It is evident as well to the Committee, that the current classification of teachers that essentially permits any teacher to teach any subject is inappropriate. There is some doubt that the current classification could well have a negative impact on the quality of education in the Province and it is urgently in need of review.

Therefore, the Committee recommends that the Department of Education in consultation with the NSTU, the NSSBA, and the Nova Scotia Heads and Deans of Education review the entire system of teacher classification and devise a new system of classification having regard to such criteria, which may include the following, as they may deem relevant:

(1) Reducing the number of certification levels.

(2) **Instituting specialty licenses for both elementary and high school, licenses for subject teaching based on essential academic backgrounds as well as specific speciality licenses.**

(3) **The rationalization of teacher certificates with respect to academic qualifications and specialities, the provision of appropriate requirements for license maintenance by way of retraining or upgrading including the duration, type and quality of such programming and responsibility therefore, and such other matters as the parties may deem relevant.**

(4) **The complete review of the teacher training institutions in the Province with regard to the appropriate teacher training curricula, including in that regard the appropriateness of mandatory special education courses for integration into the basic curricula for all teacher training institutions and such other training as may be appropriate.**

As has been said, "Teaching is the one industry where if you do something good, nothing good happens to you and if you do something bad, nothing bad happens to you." It is essential that the Department of Education, the NSTU and other partners in education, consider the real need to recognize excellence in education and to maintain some recognition that experience counts for something.

Concurrent with the determination of the appropriate system of teacher classification and provision for specialty licenses, it would be appropriate for and the Committee recommends that the Department of Education, in consultation with the NSTU and NSSBA, determine the appropriate procedure and priorities in laying off of probationary and permanent teachers where school boards face declining enrolments or financial shortfalls having regard to the recognition that teacher qualification is the first determinant for hiring but that subject only to that, seniority as determined under the existing collective agreement or subsequent agreements should be determinative.

Therefore, the Committee recommends that the Department of Education engage in immediate consultations with the Nova Scotia Teachers' Union and the Nova Scotia School Boards Association to determine appropriate revisions to the existing collective agreement to provide for the appropriate procedure and priorities in laying off of probationary and permanent teachers where school boards face declining enrolments or financial shortfalls.

Section VIII

Expanded Power

The Committee recommends:

1. That expanded powers should be given the Minister of Education and the Governor in Council in respect of school boards whose operations are either educationally unsound or effectively insolvent.

2. That such powers be mandated under the Education Act and regulations made pursuant thereto.

3. That such powers parallel the powers of the Minister of Municipal Affairs in relation to municipal units contained in the Municipal Affairs Act

4. That rules and procedures be effected that will clearly outline reporting requirements and accountability between school boards and the Department of Education including appropriate regulations to mandate and provide for financial and education audits by the Provincial Survey Team and the provision for such audits to occur on a regular basis around the province.

Section IX

Morality

The Committee recommends:

1. **That Section 54 (e) of the Education Act be amended to read as follows:**

   S. 54 It is the duty of a teacher in a public school to:

   (e) encourage in the pupils by precept and example a respect for freedom of conscience and religion and the principles that recognize the supremacy of God and the rule of law upon which our Nation was founded, for truth, justice, love of country, humanity, racial equality, industry, temperance and all other virtues.

It is hard to imagine a duty directed by legislation to a teacher in our public schools of greater importance than that stipulated by Section 54 (e) of the Act.

2. **That this sub-section be the first duty of a teacher and appear as Section 54(a) of the Act. It would be followed in order by the other duties of the teacher as set forth therein or as amended.**

3. **That other subsections of Section 54 be reviewed to ensure that there is conformance with Department of Education policy, the public school program and the recommendations of this Committee. For example, Section 54(i) requiring a teacher to report to the inspector should be deleted.**

4. **That the Department of Education consider, as part of the CORE program commencing in the elementary grades, the provision of an ethics program as a separate course or as an integral part of other course material now being provided.**

Section X

School Closings

The Committee recommends:

1. That the Department of Education institute Province-wide minimum guidelines with respect to school closings and how they may be carried out.
2. That the by-law making authority of school boards to be contained in the Act provide that school boards may make by-laws with respect to school closures which by-law shall meet the minimum provincial guidelines.
3. In the case of the school board that does not have a by-law, then the minimum guidelines as mandated by the Province would govern.
4. Subject to the by-law and or the Provincial guidelines, it would be within the exclusive power of a school board to close a school.

Section XI

Acadian Schools

The Committee recommends:

1. The existing legislative provisions of the School Boards Act with respect to the rights of entitled parents be reviewed and if necessary amended to conform with the Charter of Rights and Freedoms.

2. The particular concerns of the Acadian community related to the control of the administration and language of instruction in schools in their communities be referred to the Advisory Committee on Acadian Schools for the purpose of proposing necessary legislative changes to allow for the provision of instruction in the french language for the children of entitled parents so long as such provisions do not compromise the viability of existing Acadian school boards.

3. That the legislation be amended to provide that the Governor in Council may designate an Acadian school without receiving a request from one or more school boards.

Section XII

Anti-Racism

The Committee recommends:

1. That the Department of Education develop a policy on racism and race relations for the Department of Education and the school system;

2. That anti-racist principles be incorporated into the philosophy of education and such principles be incorporated into the Education Act and curricula. That such principles include the specific promotion of inter-race relationships, cultural understanding and multiculturalism. That the following specific recommendations of the Multicultural Association of Nova Scotia with respect to multicultural/anti-racist education principles, which should be legislated, are endorsed:

    (1) That every individual has a right to be educated in a school system that is free from bias, prejudice, and intolerance.

    (2) That school programs and practices be developed that will promote students' self esteem, and help students develop pride in their individual cultures and heritages.

(3) That School Boards in the province of Nova Scotia strive to place teachers of visible minority of an ethnical and cultural background within communities with a high number of members of those minorities and cultures. This will ensure that children are provided with strong, positive role models.

3. That it is specifically recommended that the Department of Education review curriculum requirements to determine the appropriateness of providing a grade 10 optional course to be made available in the schools in the appropriate school districts, where sufficient numbers of Mi'Kmaq children reside, which course would deal with all aspects of the Mi'Kmaq culture including history, culture, language, folklore, sociology, and art, such course to be open to all students at such a school whether of native or non-native origin as a credit but non-core course.

4. That the School Boards Act be reviewed to determine the appropriateness of providing a guaranteed seat on a district school board for a representative of the Mi'Kmaq community in those districts where numbers warrant.

Section XIV

Computer Technology

The Committee recognizes the importance of education tools as an assistance to learning. The Committee is particularly concerned about the need for Nova Scotia to be involved in the leading edge of technological applications in education. Therefore, the Committee suggests that the Department of Education in partnership with two or three School Boards in the Province, so located as to provide ease of access to other Boards and Schools who wish to observe from time to time what is occurring in those schools, acquire the necessary hardware and software and other associated teaching aids and, using existing facilities, create two (or three) high-tech, high-touch schools of learning in the Province. If a Board is prepared to enter into such an arrangement, it may well require resources from the local level, but certainly a committed teaching staff and parental support as well. It is suggested that Elementary Schools be chosen for such a programme.

Section XV

Core Program

The Committee recommends the following as matters relevant to the curriculum of public school education in Nova Scotia requiring the urgent attention of the Department of Education and other partners in education:

1. Students, teachers and parents must know that if some students need more time to develop, the option must be clearly available in the school system for either: (1) a transition year for students between elementary and junior high if the student and their parent is agreeable or, (2) a more intensive training/tutoring program for the child as he/she moves through the school system. Such training and tutoring may well have to occur before and after school, particularly in the junior and senior high school. Under the guidance of the principal, programs should be established under the direction of one or more teachers and with the involvement of volunteers from the community, the parents themselves, or other students in individualized programs of assistance.

2. The Department of Education should engage in a complete review of the Junior High School programme with special regard to the following: alternative programming that would allow for some flexibility for students who do well in some subjects and are having difficulties in others, and the wider availability of resource teachers.

3. We need to actively explore Province-wide, and at the District Board and school levels, active partnerships with business -- big and small, particularly in the fields of computer and related information technologies, both to enhance student learning and to create direct links with the economies of today and tomorrow, within specified guidelines. Boards and schools so inclined should engage in partnerships, both for the use and provision of equipment as well as for careers counselling.

4. An integrated and comprehensive alternative programme of education must be implemented into the Public School System, subject to the following parameters:

    (1) There be an essential academic core in such a programme to ensure a minimum standard in literacy, numeracy and science achieved by all students.

    (2) The programme could be provided in every high school, beginning in Grade 10 (or possibly earlier).

    (3) The programme would terminate in a Grade 12 graduation certificate.

    (4) Entry would be by choice.

    (5) The programme would be promoted as a part of a career vocational course of study.

    (6) It would be a Province-wide programme but allowing for a limited degree of local autonomy, i.e. the provision of a particular course of study unique or relevant to that part of the Province.

5. It is vitally important that an occupational program in our high schools be integrated appropriately with the programming being carried out in our community colleges. There should be no overlap but they should complement each other and be directed at the market place in both respects.

6. Some extracurricular activities in some schools may be in jeopardy due to limited funding and a lack of quality leadership. This problem should be addressed by the Department of Education, NSSBA and the NSTU to ensure that students in all parts of the Province are being provided with an even level of extracurricular activities.

   School Boards throughout the province should consider the possibility of some level of commercial sponsorship or assistance for extracurricular activities.

Section XVI

Exceptional Students

The Committee recommends:

The Education Act be amended to provide for a definition for exceptional children with specific provisions for exceptional children and that such amendments to the Education Act include a provision of education services to all exceptional students including gifted children, children with learning disabilities, and other special needs children.

Section XVII

Accountability

The Committee recommends:

1. The Department of Education implement a system of Province-wide testing to test literacy, numeracy and math skills and such other learning outcomes as are deemed appropriate:

    (1) That such tests be administered at the grade 3, 6, 9 and 12 levels in the Nova Scotia school system.

    (2) That such testing be mandatory for all students (with appropriate provision made for special needs of exceptional students).

    (3) That results of such assessments be made public on a regular basis together with such other information as the Minister deems appropriate to ensure that all persons having a concern with the Nova Scotia education system are fully aware of learning outcomes and other information relevant to an informed understanding of the public school system.

    (4) That the Minister of Education mandate by regulations that students and their parents and guardians be regularly informed of the results of ongoing classroom testing, assessment by teachers and achievement tests.

2. That the existing Section 54(a) of the Education Act be amended to provide that it is the duty of a teacher in a public school to teach competently and diligently.

Section XVIII

Allocation of Resources

The Committee recommends:

1. **That the Department of Education, in consultation with the NSTU and NSSBA, determine the appropriateness of implications of the provision for a single Province-wide contract to deal with all matters now contained in local contracts having regard to the possible benefits, if any, for school boards, teachers, and the education system.**

2. **That the Department of Education in consultation with the other partners in education complete a thorough review of the school day and the school year in Nova Scotia, for the purpose of making appropriate recommendations to the Minister of Education with respect to the length and use of the school day and the length of the school year including specific recommendations as to whether additional school days should be added.**

Unless the current provincial financial situation changes, there are no additional monies going into the education system. Indeed, there is some suggestion that there may be some retraction in years to come. There cannot be very much retraction but it is plain we have to do a great deal more than we have been doing with the same resources. It is vital that we obtain essential guidance services in elementary and that special education resources in the way of special education teachers, and particularly resource teachers in junior high school, be made available. There is significant work to be done in teacher training in special education. There is alternative programming which must be made available to those students that are at risk in junior and senior high. We continue to have a serious illiteracy rate. We have a drop-out problem but we also have a problem with not properly educating those who remain in the system. We are losing a good many students who have learning disabilities or learning difficulties that we are not meeting. Therefore, there has to be a re-allocation of resources within the system. To do so, we have to find legitimate means of saving money.

3. **The Department of Education, in consultation with NSTU and NSSBA, examine the quality and cost (in financial and human resources) of in-service training both with respect to local in-service training, provincial in-service seminars, and travel for senior administrators with a view to devising the most efficient method possible of delivering meaningful in-service training to teachers without compromising the best use of resources in the system.**

In order to provide the resources necessary to accept the new challenges required in special education, with multi-handicapped children, with guidance in elementary and additional resource teachers in junior high, to develop appropriate programming in late junior and senior high school for that third of students who remain at risk even while they remain in the school system, will require resources from within the system. It is essential that School Boards through the NSSBA and where appropriate the NSTU and under the direction of the Department of Education, engage in a thorough review of all Board practices, expenditures, and resource allocation to determine every available method consistent with the delivery of an educationally sound program to ensure the reservation of those necessary resources to be dedicated to classroom teaching. Such measures, particularly relevant in the case of smaller Boards, might involve the sharing of administrators and teaching personnel. It would be inappropriate to make specific suggestions other than in particular areas already pointed out in this report. However, the Department of Education and the School Boards should generally be aware that this is a problem experienced across the country in other jurisdictions as well and there are many appropriate suggestions.

Section XIX

Other Submissions

The Committee recommends:

The Education Act be amended to provide that every person who has a right to attend school has the right to receive an education.

Schedule of Hearings

The Select Committee first met on August 7, 1991 following the rise of the House of Assembly. A Schedule of Hearings for the Province of Nova Scotia relating to the taxation issue only was scheduled. The hearings were held during a five week period from September 7, 1991 to October 10, 1991. The Committee scheduled meetings at nine different locations in the Province (Yarmouth, Pointe de l'Eglise, Bridgewater, Halifax, Coldbrook, Truro, Antigonish, Port Hawkesbury, and Sydney). Ninety-one submissions were made to the Committee with respect to the taxation issue.

The interim report of the Select Committee with respect to the taxation issue was filed with the Clerk of the House of Assembly on October 31, 1991. Following that, the Committee determined a schedule of hearings for the remaining issues.

Hearings were held in November of 1991 and during a seven week period from January 14, 1992 to February 26, 1992 regarding the remaining issues. The Committee scheduled meetings at nine different locations in the Province (Baddeck, Halifax, Sydney, New Glasgow, Coldbrook, Yarmouth, Meteghan, Bridgewater, and Amherst).

A total of 246 submissions were made to the Committee regarding the remaining issues, almost half of them in person. Of the total number of presentations made to the Committee, some 53 were from private citizens, the balance were from a variety of organizations, municipal units, or school boards. Included in the presentations were two petitions.

The Committee was very impressed by the high quality and effort that went into the preparation and delivery of submissions.

INTRODUCTION

The Committee, in the course of its work, was presented with many submissions, both oral and written, that dealt with all of the matters set forth in Resolution Number 2088. On most issues, there was a considerable division of opinion and it would be impossible to form a consensus, or in the case of some other matters, no single or simple answer to the issue was possible.

After the Resolution was approved by the House and the Committee was struck, a further issue was referred to the Committee by the Minister of Education. By letter dated November 21, 1991 (appended hereto is Appendix "A") the Minister referred the report of the Committee on Race Relations to the Select Committee for consideration of those recommendations of the Committee that dealt with education. As a result of that referral, the Committee in the course of its public advertisements invited the public to present views on the following issues:

> The incorporation of anti-racist principles as a key element of the philosophy of education and whether such principles should be mandated by legislation or included in curriculum guides.

In addition, in the course of its work, the Committee heard from a great number of presenters with respect to all aspects of the education system. Although the Committee found that the matters before it embraced all aspects of the education system directly or indirectly, a number of areas of concern, not directly on point with a particular issue, are set out under separate logical headings as part of this report.

The following will attempt to set forth most of the relevant submissions made to the Committee with respect to the various issues. An outline will be provided of what the Committee heard and, where the issue lends itself to it, will indicate those who were supportive of a particular issue or those who were against a particular issue. These views are presented in random order and with no regard to their order of relevance or the number of times they were raised before the Committee.

Finally, these sections will set forth in synoptic form those other ideas and submissions that are considered by the Committee to be relevant to the discussion. These arguments are presented in no particular order. Throughout these sections, from time to time direct and unattributed quotes will be found. This is done, not to single out any presenter or presentation, but only because the particular quote seemed to best embody a view put forth by many.

Section I

WHETHER THERE SHOULD OR SHOULD NOT BE SCHOOL TRUSTEES AND, IF SO, WHAT THERE ROLES SHOULD BE

Submissions

1. **Arguments in favour of school trustees**

Trustees should be retained. They are cost effective - they cost nothing. They get things done.

Trustees are residents of their communities and are generally well known and trusted. Trustees work for free.

Trustees should be included in legislation but should be optional for school boards.

There was wide support for the concept of school trustees as defined in the current legislation.

The principal/trustee relationship is extremely important. Both should be encouraged to work closely together in all matters pertaining to the local school.

2. **Arguments against school trustees**

There should be no provisions for Trustees.

Trustees are redundant. Home and School Associations can play the linking role that trustees formally did.

There is no longer a reason to continue the existence of trustees in the present system. Trustees should be abolished and their duties and powers transferred to School Boards.

All references to school trustees should be removed from the Education Act.

The function of Trustees would be better served by a strong Home and School Association or Parent Advisory Council with broad decision making powers. Parents could be equal partners in the education process, a process from which they are at present alienated and disenfranchised.

Some Boards of Trustees are merely paid lip service by district school boards.

3. What should the role of trustees be

(a) The power to levy area rates.

Trustees should retain the option of setting area rates, should play a role in the suspension or expulsion of students, should have specific terms and should have a more defined advisory role including input into use of school buildings.

If Boards or others will not support programs that the communities feel are necessary, Trustees should have the right to raise the funding through local support.

Until such time as the core program becomes known and in the absence of school board taxation power, Boards of Trustees should continue to levy area rates at local levels until 1994 or later and Trustees should be represented on future committees that may be struck to review the issue of taxation authority or area rates.

Trustees should continue to have the right to set area rates for local program funding.

Trustees should continue to have the ability to raise area rates for schools as needed until such time as School Boards have direct taxation powers.

The concept of school trustees should be maintained with the right to raise and receive monies within prescribed limits, advise School Boards of staffing needs and requirements, represent the community to the school and the school to the community, and play an influential role in matters of program, physical facilities and community financing.

Some Boards of Trustees have raised area rates for a number of years. The option to levy area rates should remain.

Some would prefer to pay an area rate on a one-time basis rather than have someone knocking on their door looking for donations on a continuing basis.

School trustees should be retained but should not have the authority to establish an area rate. Their role should be updated.

The power of Boards of Trustees to set area rates should be removed from the legislation.

Trustees should be entitled to raise necessary funding if they choose without taxation authority.

School Trustees should be retained but their role requires adjustment and modification. Ideally, their function should be one of communication and local influence between the residents and the School Board, representing community education interests. They should participate in the setting of school boundaries disputes and convey community requests for special funding. On the other hand, setting of area rates and the authority to participate in the disciplinary process should be removed. It is unfair, undemocratic and inappropriate that taxing powers be vested in a non-elected body. Such a concept runs counter to a concept of uniform and equal educational opportunities for all.

(b) Other duties.

Trustees have a role to play as a sober second opinion necessary in the protection of children's rights to an education. They should serve as a child advocate.

Trustees play an important role as a means for local community and parents to consolidate recommendations and concerns and present those to appropriate officials.

Trustees should report to school boards.

Trustees are an integral part of the current system. Trustees have a role to play in discipline matters. Trustees have a role to play in visiting the school on a regular basis.

Boards of Trustees need not be for individual schools. There may be situations where a Board of Trustees could exist for several schools.

Alternately, it was heard that there should be only one Board of Trustees for each school.

Regarding school trustees, there is a necessity for some form of local control and input. There is an expanded role for local people to be involved in staff hiring, the use of buildings, improving the grounds in buildings.

Trustees should be maintained because they provide a link between the parents and the schools and they do not cost the taxpayer anything. Trustees should remain a volunteer position. They should be limited to two terms. Their terms should be staggered, they should have the power to call public meetings if and when problems develop.

In one part of the Province trustees interviewed teachers for new teaching positions and put forth recommendations to the School Board. The School Board has honoured those recommendations in every case.

Trustees in their roles are as unique as the communities they represent. They act as mediators, as communication links with parents. Citizens can speak freely and without intimidation to trustees because they are their peers. Trustees should not receive pay.

School trustees should have input in the maintenance department, safety and security of school buildings. They should have input into hiring of new teachers.

Trustees can develop public awareness, facilitate public input, mediate serious problems among students, parents, teachers and administration, help to consider the needs of schools with respect to upgrading programs for teachers.

School trustees play a prominent advisory role in the administration of local community schools.

Trustees should be retained as a valuable local link especially for rural schools. They are an advocacy group and they give the local population a greater sense of ownership regarding the local school facility. School trustees should have a small operating budget. Perhaps $1,000.00. Or an amount left to the discretion of the local board.

Trustees have played a vital role in the area of home and school communication in the past. There will be a continuing need for school trustee's particularly where school boards have been reduced in size.

The question is asked under what conditions and what purposes should school trustees exist. If they do exist then their purpose and role must be clearly stated, they cannot work at cross purposes to the board and they should report directly to the board. There must be a formal reporting requirement and boards should be informed of the activities of trustees. The relationship must be cooperative in nature.

Trustees should make annual school inspections and make recommendations regarding necessary repairs and improvements.

Trustees should be involved in the appeal process for student suspensions and transfers.

Trustees should be an intermediary between school administration and parents. They should try to work out problems at the local level.

The use of newsletters from schools to parents can be a useful communication device. This might be something done in collaboration with trustees.

Trustees have a particular role to play in coordinating and representing the needs of the school community and the provision of space and adequate facilities for students. Some monetary support should be provided to Trustees by School Boards to assist with certain expenses of their activities including mailing, preparation of materials and secretarial help.

Teachers employed in the school district should not be eligible for election to the position of Trustees.

Trustees should not be serving on municipal council or the district school board.

In the Inverness district there are 13 schools and 9 have Boards of Trustees. The geography of the district precludes the likelihood of School Board members being in day to day contact with their constituents.

Trustees in the Inverness District School Board are involved in the hiring process and in consultation with the school principal and the Board's hiring committee make recommendations to the Board for the hiring of teachers in their respective schools. Within board guidelines, Trustees assist school principals in making decisions on the use of school facilities outside of the regular school day or take on projects relating to their particular school at the request of the Board.

Boards of Trustees can become important advisory groups with specific mandates to monitor their local schools in all areas including budgets, program, staffing, facility maintenance, transportation systems, enrolment, discipline, and use of building. All reports and information regarding the operation of schools should be made available to the Trustees. Trustees on the other hand must provide full information to those that they represent, the rate payers and parents of their district.

There should be clear and open lines of communication between the Trustees and the School Board. There should be direct access not encumbered by administration.

4. Other thoughts on the trustee concept

Home and School and parent support groups direct their energies towards fund raising and do not, by legislation, report to school boards.

As suggested by the Report of the Royal Commission on Education, Public Services, and Provincial Municipal Relations (The Graham Report), the involvement of the community can best be achieved by requiring that each school appoint a Council representative of the community, parents, teachers and in the case of junior and senior high schools, students. The Council would;

(a) Provide for assistance to the school by the community.

(b) Seek mutual understanding and support by the school and community.

(c) Relay and seek to resolve community concerns regarding the operation of any facet of the school.

(d) Through the school principal, make recommendations to the Board that, in the opinion of the Council, would enhance educational opportunity for the student and the community.

(e) Work to achieve active and involved home and school associations.

(f) Make recommendations through the principal regarding the use of the building for purposes other than regular school purposes. School councils would replace the existing trustees.

Trustees and Home and School Associations work independently and side by side. There is no conflict in having both groups present, they both have distinctive functions.

There is some duplication in having trustees as well as school board members. Perhaps trustees should be retained until such time as the matter can be fully studied. However, they should not retain the right to set area school rates.

In areas where small School Boards exist, Trustees may be an unnecessary bureaucratic layer. In areas of larger Boards, Trustees can be a valuable link between school and community.

School Trustees should be replaced by an Advisory School Council comprised of teaching staff, residents of the community, the principal, and a representative of the student council. This group would act as an advisory group for the school, through the school principal, liaise with community groups, and provide for public involvement and public communication about education.

Observations and Recommendations

In some parts of the Province, boards of trustees are unknown. In other areas of the Province, they are active in important parts of the school community. Some boards of trustees play an important role that is limited to communicating and facilitating. Other boards of trustees are active in assisting their school board with the hiring of teachers, disciplining of students and other matters. Many active boards of trustees do not levy area rates. Some boards of trustees are and have been an important source of funding for a school.

There is little doubt that trustees can be an important link between the school and the community and the school board. The size of the school board, the nature of the school district (urban or rural) and the nature of the school itself and the population it serves will all have an effect on whether trustees are perceived to be essential, effective or what their duties should be if they are to be.

It is the view of the Committee that the authority for trustees should remain. However, in light of the submissions the Committee had already received with respect to taxation authority for school boards and the Committee's recommendation in that regard, it was not considered appropriate to allow trustees the authority to levy area rates. Even if safeguards were enacted to ensure that a small group of individuals do not enact an area rate against the wishes of a silent majority, all of the arguments prevailing against an additional tax authority and in favour of a fiscal regime intended to secure an equality of opportunity in education for all Nova Scotians militate against allowing taxation by trustees through an area rate. Some would say it is the most democratic form of taxation and some would say it is the least democratic. The view of the Committee is that we should not be taxing at a local level for education.

This should not preclude other methods of raising money for those who wish to donate or engage in those activities.

School board members are part time and will have difficulty in meeting all their commitments. Trustees can give assistance to school board members in this regard.

School trustees with the proper legislative and regulatory mandate can assist the process of allowing parents and local communities a greater voice in the education system. Consideration should be given to allowing student councils at the junior and senior high school level the option of having a student delegate on boards of trustees.

The Committee recommends:

1. **That trustees be permitted to remain as an option within every school district.**

2. **That boards of trustees not have the power to levy area rates.**

3. **That trustees be entrenched in legislation which sets forth criteria consistent with the following:**

    (1) **That trustees be elected every three years, from the area served by the school subject to the eligibility requirements currently set forth in the Act.**

    (2) **That trustees be required to hold a public meeting at least twice annually.**

    (3) **That trustees and school boards have the power to contract with respect to the raising of monies and the provision of certain services for specific purposes and that such monies raised and paid to a school board be allocated for those purposes and not to form part of the general revenue of the board.**

    (4) **That school boards have bylaw making power that will permit boards to confer upon boards of trustees the mandate to participate in and assist the board with the carrying out of the duties and responsibilities of the board as the board may direct including but not limited to:**

(a) The participation in the hiring of teaching staff and other employees.

(b) To assist with the student discipline process including the right to hear appeals from suspension subject to such guidelines as may be stipulated.

(5) To allow for the inclusion on the Board of Trustees of one student representative, elected from the student body of a junior or senior high school represented by the Trustees.

Section II

MATTERS RESPECTING SCHOOL BOARD BYLAWS, SCHOOL BOARD ADMINISTRATION AND DUTIES OF A SCHOOL BOARD

Submissions

1. Bylaws

There is nothing in the Education Act that requires Boards to have bylaws. There is a need for standard regulations requiring Boards to have bylaws.

Elected school boards should be responsible for establishing their own bylaws. The duties of a school board member should remain part of the Education Act.

The duties and bylaws regarding the operation of a School Board as outlined in the Education Act and as proposed in Bill 147 are supported.

District School Boards in the modern context are of such size and complexity that they require the establishment of clearly written bylaws and policies that will govern the operation of the school system. Such documents should be free of legal jargon. Governments should require the creation or confirm the existence of such bylaws and policy documents.

The Department of Education should provide more direction regarding the establishment of bylaws in the interest of both clarification and uniformity.

There should be an annual review of the School Board bylaws.

School Board bylaws should not require the approval of the Governor in Council but rather require the approval of eighty percent of the School Board.

Governor in Council approval for School Board bylaws can be a prolonged and cumbersome process. Boards should have the power to develop and amend their own bylaws without approval.

Some Governor in Council approvals for bylaws take close to a year.

Each school board should establish its own governance and duties. Reference to bylaws in the legislation should be deleted from the Act to eliminate the need for formal approval and possible interference by the Governor in Council.

The legislation should not require approval of bylaws by the Governor in Council.

It is necessary to have all changes to boards' bylaws approved by the Minister and Governor in Council. In the area of student discipline, there are areas in which significant government intervention is required. The authority of those managing the behaviour of children has to be clarified and strengthened. The Government, in cooperation with jurisdictions in Canada, should undertake a review of the Canadian experience with Young Offenders legislation.

2. Meetings

The current Act states Boards must meet twice yearly. This should be changed.

All School Board meetings should be open to the public as much as possible.

School Boards should have open meetings, publicized financial statements, regularly consult with concerned citizens, trustees and home and school.

Minutes of School Board meetings, including Committee meetings, should be available to the public upon request.

School Boards should be required to operate in a more open fashion. In one district, every Board meeting begins with an in-camera session regardless of the items on the Agenda.

Regular meetings of School Boards should be mandated. Administrators should not be present at School Board meetings. School Board Administrators must be held accountable.

3. Administration

The Administration of Education needs to be clarified and streamlined. It needs to be both efficient and effective, accessible and accountable to the public and service of the students.

Teachers should actively participate in decision making regarding school administration.

Legislation should establish guidelines on the size and function of administrative staff for School Boards.

There are many excellent teachers in the system who are becoming apathetic because they do not feel they have a supportive Administration.

A more concerted effort should be made to weed out weak administrators who could do a much better job in the area of discipline and control.

There is a feeling that the Superintendent of Schools and their assistants actually run the operation and the Board is a rubber stamp.

The duties and responsibilities of the Superintendent of Schools should be clearly outlined in the Education Act. (Note the Ontario Education Act in this regard).

School Board Administrators should be changed at regular intervals. There should be a limit on how long they serve in one position. Administrators should be rotated to regular classroom duty one year in five.

We must work to change the present top down management system. It results in low morale, poor productivity and a malfunctioning system. The Japanese model of co-operation and collegiality works well.

Does the Administration have full confidence of the teaching staff? Is the Administration political? How cost effective are operations? Is the School Board merely a rubber stamp?

Senior Administration staff should be reviewed by School Board members and input sought from principals and others.

Every administrator should be mandated to teach five days as a substitute teacher in their own school district.

It is time to put teachers back in the classroom.

Principals in elementary schools should be doing some teaching.

The Education Act should describe the duties and responsibilities of the Superintendent of Schools. Superintendents and other administrators from Vice Principals up should be removed from membership in the Nova Scotia Teachers Union. They cannot be members of both management and union at the same time. Alternatives for pension and benefit plans should be made available.

How can you administer a system if the Chief Executive Officer belongs to the same union as staff?

Senior Administration should not belong to the same union as the teaching staff that they supervise. It is against all sound management practice and occurs in no other business.

Teachers in administrative positions should be removed from the bargaining unit. Suitable benefit programs, pension arrangements, and job security must be in place.

All School Boards agree the Superintendent of Schools should be removed from the Union. Some School Boards feel that every administrator from the principal up should be removed. (NSSBA)

There is a need for less administration and for an assessment process of the administration. Administration personnel should be classed as management and removed from the teachers union. A number of positions within the administration (ie. finance, personnel and possibly CEO's) could then be filled by non-teaching personnel.

Union personnel in the administration are in a conflict of interest position during contract settlements. The administration must be answerable to the Board.

4. Inspectors

There is a special responsibility of the inspector to know of all those students known as exceptional students within the meaning of the Act and special instructional needs they may have.

There is a very important role for school inspectors.

The role of the Inspector of Schools needs to be clarified. The traditional authority and responsibility has changed. The new Inspector can and must play a critical role between School Boards and the Department as well as the supervisor of programs and teaching strategies.

If you do not have an Inspector, who monitors what is happening?

5. Duties of a School Board

All School Boards should have policies requiring regular consultation with parents, students, teachers and the business community.

You make suggestions to the School Board but you never receive any feedback. It is discouraging.

Most School Boards have a distinctive Board Manual for its members. Most School Boards specify in their policies the duties of the Principal and Vice-Principal.

At times, information from school boards could have been more readily accessible.

Since teaching and administration staff salaries account for the greatest expenditure for each Board, newly elected Boards should have the right to collectively bargain with staff in their own jurisdictions. It is unfair that the Province issued pay increases to teachers across the Province and yet failed to supply sufficient funds to Boards.

It is very difficult for Boards to make long-term plans with short-term financial agreements.

School Boards should set policies and individual members should not be involved in daily decision making in classroom schools or district wide. The most important role of the Board is to select the proper Chief Education Officer for the system. The administrative staff has the responsibility of daily management of operations.

The School Board should communicate better with the Home and School Associations, school trustees and other interested groups by providing copies of School Board bylaws and policy statements.

6. General

The current Education Act and Regulations are too cumbersome.

The Minister should appraise, at reasonably frequent intervals, the performance of all School Boards.

Conflicts between School Board bylaws, the Education Act and teachers' contracts should be avoided.

School Boards must look for better ways to share existing social services.

Section 33(5) provides that a School Board may not deficit finance. Is this still practical?

The legislation should not require school boards to set specific rates or amounts in their bylaws.

All information of the Board must be controlled by the administration and answerable to the Board. An assessment process involving parents, students, teachers, supervisory personnel and management must be in place to evaluate the whole education process. Presently, most of the assessment is done by the Teachers Union which does not give an unbiased picture.

Observations and Recommendations

Appendix B illustrates some of the data supplied to the Committee by various School Boards across the Province.

The survey of School Boards by the Select Committee revealed, more graphically than the consultations that have occurred, the wide disparity in data collection, retention, reporting, availability, procedures and administrative efficiencies and capabilities across the Province. As much as anything, it reinforces the view that there needs to be greater uniformity in the practices of Boards and with greater uniformity can come efficiencies and cost-savings. Reporting requirements should be expanded, made uniform and greater information should be available to be shared between Boards. School Boards can learn from one another.

The duties of School Boards should be set forth in categories and reflect the needs of the nineties and beyond. The duties as outlined in the Act are generally appropriate.

School board members are preoccupied with financial matters. They need to be preoccupied with education matters too and educational results. They must make the entire system accountable to them on educational issues.

It may take some time for the new boards and staff to adjust to their new relationship. It should be a new relationship. It is vitally important that the new political role of the board be recognized by board members. They are accountable to the public. They must make staff and the entire system accountable to them.

There is however a need for a delineation of bylaw making authority on the part of school boards. There is a need for uniformity in this regard and if authority is set forth in the legislation, with respect to the areas where school boards may make these bylaws, it will ensure a greater degree of uniformity. In that regard, it would be useful if the Nova Scotia School Boards Association in consultation with their membership drafted a model set of bylaws.

In any event, in order to maintain uniformity and compliance with the Act and Regulations, it is the view of the Committee that the Governor in Council should continue to approve bylaws. Some mechanism should be in place to ensure that school boards do not face long delays in having bylaws approved. It may be appropriate to look at a mechanism that would allow some greater flexibility within the wording of bylaws themselves to allow for some greater flexibility in the approval mechanism. For example, a school board should not have to wait two months to receive approval from the Minister if they wish to change their meeting time from a Monday to a Tuesday night. A bylaw worded appropriately in the first instance would give boards the flexibility that would not require specific approval.

With the existence of twenty-one district school boards and the possibility that that number may even be further reduced, the role of the inspector of schools has changed dramatically. It is impractical to expect school inspectors, if they were to be maintained, to fulfil the duties specified for them under Section 9 of the Education Act and the Regulations. Yet there may well continue to be a role for inspectors as the direct educational link between the Minister of Education and each school board. There may also be an additional role for inspectors to play as local ombudsmen for their inspectorate divisions to hear complaints that parents or students have with respect to teachers, the administration, the school or the board that have not been resolved at the local level. The lack of a formal mechanism of accountability outside of the school board system will be referred to elsewhere. But this would be seen to be an increased role for the inspector as an individual to help ensure that the education system is delivering to the customers. A review of Section 9 of the Act would indicate that the responsibilities to visit every school, to advise and assess teachers, conduct teachers institutes or promote improvement of buildings and grounds are no longer appropriate duties for inspectors. The inspector may well have a role in advising trustees, however, in the performance of their duties.

The Committee was advised on a number of occasions of the necessity of either maintaining the position of inspector within the school system and reforming the responsibility of that position or alternatively, eliminating the position.

A great deal of concern was expressed with respect to the inclusion of administrators as members of the Nova Scotia Teachers Union. There are various legitimate concerns on both sides of this particular issue. Without reiterating all the comments, it is important to note that many feel there is a conflict of interest that will remain as long as administrators remain members of the union. The difficulty is exacerbated by the fact that each school board negotiates a local contract with their own local of the NSTU. It may be that if there were a single provincial contract, the conflict issue with respect to administrators being part of the union would not be as great an issue.

A further concern is the position in which removing administrators from the NSTU places those individuals. If there is to be greater flexibility on the part of school boards in rotating administrators and in returning administrators to the classroom on occasion, there are some practical difficulties to be resolved since individuals may, in the course of their career, be a member of the union, move out of the union and return. This has implications with respect to pensions and benefits. None of these practical difficulties are unresolvable but consultation is required.

The Committee recommends:

1. **That the office of Inspector of Schools be revitalized with inspectors for each division within the Province and that there be not fewer than six divisions with appropriate amendments to legislation and regulations to reflect the enhanced role of the inspector as an educational ombudsman.**

2. **That a model set of by-laws be prepared by the N.S.S.B.A. in consultation with their membership to achieve some degree of uniformity in all those areas where by-laws impact upon students directly.**

3. **That specific amendments to the Education Act include an enumeration of those subjects on which school boards must pass bylaws and may pass by-laws.**

4. **That by-laws continue to receive approval from the Governor of Council.**

5. That there be uniformity of reporting with respect to all matters of information specified in the Education Act and the Regulations and that the Department of Education in consultation with the NSSBA develop uniformity of reporting and where appropriate, compatibility in information transfer and communications to allow a more efficient collection, transfer and analysis of information and to ensure that more information is shared between boards.

6. That the Department of Education consult/negotiate with the NSSBA, the NSTU and the Association of School Administrators to determine the appropriateness of administrators being removed from the bargaining unit.

7. That all school boards and schools be subject to the jurisdiction of a Provincial Survey Team, to complete a total audit (financial, administrative, and educational) of each school board in the Province on a regular basis and any school as may be required by the Inspector of Schools or at the direction of the Minister, to ensure proficiencies, efficiencies and appropriate changes to be effected at the school board levels or in a particular school. During such audits, particular attention should be given to administrative efficiencies that would reduce the size and expense of school board administrations without impairing efficiencies and with respect to education outcomes in schools.

8. That the Department of Education in consultation with the NSSBA determine areas of financial efficiencies that may be achieved with inter-board cooperation including group purchasing and sharing of human and physical resources where that is appropriate.

9. That the NSSBA in consultation with the Department of Education review its school board members handbook to ensure that all school board members are aware of their responsibilities with respect to the finances, administration and education results in the school system under their charge and that there be a clear understanding of the relationships of accountability between the board, administration, staff and other employees and students, parents and the taxpayer.

10. That legislation be amended to provide the following:

    (1) That school boards meet at least once per month.

(2) That all meetings of school board be open to the public except for such meetings as may be stipulated by bylaw are required to be held in-camera due to the confidential nature of the subject matter of the meeting.

(3) A delineation of the duties, responsibilities, and accountability of the Superintendent of Schools.

(4) A delineation of the duties, responsibilities, and accountability of the school board.

(5) A delineation of the duties, responsibilities, and accountability of the principal of a school.

(6) A delineation of the duties, responsibilities, and accountability of the Inspector of Schools.

Section III

DISCIPLINE OF STUDENTS, ATTENDANCE REGULATIONS AND SCHOOL DROPOUT RATES

Introduction

Resolution 2088 listed the discipline of students, attendance regulations and school dropout rates as three separate items. However, in the course of its work, the Committee found that as there was an inter-relationship of all education issues to the matters before the Committee, there was a particularly close relationship in the presentations made with respect to these three issues. There are various aspects of these issues and presentations with respect to them which are dealt with separately within this section and elsewhere in the report but for purposes of defining the issues, it was felt appropriate to deal with them in one section.

We will first outline the nature of submissions made with respect to the three areas. Many submissions with respect to one or all three of these issues dealt with such things as literacy, behaviourial problems, the need for additional resources, curriculum, special education, standards, accountability, evaluation and other matters. These will be dealt with separately in this report although reference will be made to them here.

Discipline

Submissions

1. Rules and Punishment

> "Some schools have believed that teachers and parents should dare to discipline and children will develop inner control as a direct result of adults applying external control. Others believe that children will only develop self-discipline if they are permitted to actively participate in a democratic process where there is no real leader and all participants are on an equal basis - including the teacher. These conflicting theories have left some educators not knowing how to approach discipline in their classrooms."

Corporal punishment is inappropriate. It is a disrespectful way to treat a student.

The present system dealing with suspensions from school is fair and reasonable. The major causes of suspensions are fighting, smoking, defiance, use of improper language, intimidation and lack of effort (Kings County District School Board).

In school suspensions are important.

The rights of the serious students should not be compromised to accommodate those students who want to interfere with learning.

The existing penalty under the Act for someone who causes a disruption in the school is $20. That is not a sufficient deterrent.

As a last resort, the current suspension procedures, as defined in the Act, are supported.

More severe penalties under the Young Offenders Act are not warranted. How can a school counsellor and the school disciplinarian be one person?

Discipline in young children is teaching to conform - not punishment. Over time children learn that rules and regulations are necessary to enable people to live together. Children often break rules because they do not know that what they do is wrong. Punishment must be limited to situations where a child does wrong knowingly.

Schools must return to reason and resort to logical consequences for the breaking of rules. Rules must be reinforced.

"For the past ten years, in Halifax County and Bedford, Boards of Trustees have effectively reviewed school suspensions."

Legislation regarding suspensions should be modified. Suspensions should be an avenue of last resort. Suspension for "the remainder of the school year" is implicitly unfair since the extent of the punishment would depend very much on what stage of the year the suspension occurs.

Discipline problems and absenteeism are related to a lack of success within the school system. This leads to lack of self-esteem further aggravating the problem. School boards and staff must have access to social workers, psychologists, and guidance personnel to provide early intervention to at risk students.

Suspensions are ineffective. An underachiever or troublesome student who is suspended misses his school work. He gets behind in assignments and his negative attitude increases.

Although schools are social institutions they are first and foremost education institutions. We must give emphasis to maintaining order and discipline throughout the school. Research indicates that schools contribute to their students' academic achievements by establishing, communicating and enforcing fair and consistent discipline policies. The following have been noted as traits of successful discipline policies in schools in the United States:

(1) Discipline policies are aimed at actual problems not rumours.

(2) All members of the school community are involved in creating a policy that reflects community value and is adapted to the needs of the school.

(3) Misbehaviour is defined; because not everyone agrees what behaviour is undesirable, defining problems is the first step in solving them. Students must know what kind of behaviour is acceptable and what kind is not.

(4) Discipline policies are consistently enforced. Students must know the consequences of misbehaviour, and they must believe they will be treated fairly.

(5) A readable and well designed handbook is often used to inform parents and students about the schools discipline policy.

Section 39 of the Act warranting a 5 day suspension by the principal is not sufficient.

Many suspensions are being appealed. This should be the exception not the rule.

Students are very quick to assess the situation, identify weaknesses and manipulate the system. It is usually the disinterested student who defies authority.

"All people need discipline of some form and students are people." "Students are intelligent, responsive and caring people who will respond to rules as long as they are applied to everyone equally."

The school suspension policy is too vague, often abused and not usually the most appropriate means of discipline.

In Japan, the maintenance of the school - clean up, etc. is completed by the teachers and pupils. It might be useful to follow this route.

With respect to discipline; parents, teachers, administrators, politicians and children are rather confused on the subject of discipline. Absolute obedience is obsolete.

The system of suspensions does not work.

The school suspension policy is too vague and is often abused. School suspension is not the most appropriate or effective means of discipline in most cases.

The Young Offender's Act is inadequate to provide effective sanctions.

There is an overall lack of discipline in the school system.

2. Curriculum

With respect to discipline, we must address the causes of negative behaviour and not merely the symptoms. There are many causes of chronic student discipline difficulties including learning disabilities, lack of proper nutrition, child abuse, conflict at home, alcohol and drug abuse and lack of student self-esteem. To address these problems there should be psychological guidance services available at all levels in the school system. There should be a program in the proposed core program to deal specifically with psychological/behaviourial difficulties encountered by students.

We must focus on long term plans for curriculum development and instructional improvement. We cannot continue to deal with symptoms from student misbehaviour, we must deal with the causes.

If instructional programming was meaningful and relevant and able to meet the individual needs of students, students would choose to behave. It is difficult when teachers must face large, educationally diverse groups of students.

There should be a social education program with emphasis on respect, stability and common courtesy. If throwing snowballs is grounds for suspension why should not hurling insults be of the same punishment. There is a strong need for 'a values' education. In a society of such technological advancements, why do we allow it to reverse in other ways to barbarism.

More guidelines are necessary on questions of discipline. Students need work experience - job experience, not a curriculum based vocational program.

The Department of Education must develop standardized policies to address incidents of violence in Nova Scotia schools. PDR curriculum should be expanded to include a component on violence, dating abuse and non-violent conflict resolution.

There is a direct relationship between discipline problems in schools and today's permissive society. School is expected to be all things: teacher, parent, disciplinarian and social agency combined. Schools do not have the resources to do all of this. Much of the upbringing of a significant group of children is relegated to community schools.

Children who do not have basic reading and writing skills are being advanced to higher grades. This results in frustration. They cannot do the work and that frustration is expressed in inappropriate behaviour. In the final analysis the school is stuck with these behaviour problems. The problem is compounded by school officials feeling there is nothing they can do about it. "There needs to be a comprehensive, cohesive, consistent discipline program in place in every school."

What if school suspension contributes to academic failure and difficulty.

Three of four juvenile offenders have some form of learning disability.

3. Societal Problems

"The institutions, values and traditional concepts of authority have been challenged, and in many cases changed. Schools have not escaped these changes." The key to some of these changes has been the "attention given to democracy and personal rights and freedoms". "Teacher/student relationships have been dramatically affected by this emphasis of democracy in relationships; so much so that today's teachers are finding difficulty in controlling students easily and effectively. It appears that the autocratic, demanding approach used by their parents and teachers simply do not work as well for present day students." Because of this, one of the most challenging tasks is student discipline. The traditional view of student discipline is that of punishment - the use of force.

Children who are a continual source of problems should be removed from the school as soon as possible with help from outside social agencies.

Abusive behaviour inflicted on fellow students is the cause of low self-esteem, dropouts and other social problems. The erosion of stability in society is to blame.

Teachers and school administrators are not equipped to deal with complex behavioral problems of today. Practical courses in classroom management and discipline should be an integral part of pre-service and in-service training of teachers. Schools have only one answer to discipline problems - suspension. What is needed is money for psychologists, psychiatrists, social workers, and guidance personnel. Current legislation is not working. Study is necessary to formulate appropriate legislation. Such services do not need to be duplicated as long as the service is available for the students.

Discipline is a community, parental and provincial problem. Schools cannot be solely blamed for discipline problems in society.

There is a need for alternate schools for students with serious discipline problems. Schools of today are not meeting the needs of all students.

There should be a course teaching rights and responsibilities. Students should know their responsibility to the well being of others, their families, their community and the school.

"Discipline should be considered an integral part of the education system... students, like everyone else, make mistakes. Discipline should not be viewed as punishment for these mistakes; rather, it should be seen as an opportunity to teach students..."

Discipline is a serious problem. "The fact of the matter is that while schools have changed almost imperceptibly, remaining clones of their early sixties counterparts, society has undergone dramatic change during the past twenty years."

The level of violence in general is rising in schools.

More than one million children in Canada live in poverty. In Nova Scotia the percentage of children living in poverty increased from 15.5% in 1980 to 16.6% in 1989. "In 1961, 65% of Canadian families conformed to the image of the 'father at work and mother at home' norm. Today the figure is 16%." "In 1988, 55,000 Canadian children arrived with their mothers at shelter for women." The incidents of child abuse is on the rise. Schools are integrating some of the hardest to serve students in its regular classrooms. Physically handicapped children are requiring medication and toileting.

4. General Problems

Smaller schools generally have fewer discipline problems.

There is sometimes a need for security guards to guard public buildings after hours. There is a cost associated with this.

Everyone has an opinion on discipline. Most students present few problems but there is little recognition of this. Students who are seen as discipline problems consume a great deal of time in motion and energy, sometimes with little success.

There are significant problems in the home with a lack of discipline and limits. Children watch over a thousand hours of television a year. "Pacman is more powerful than poetry."

5. Character Development and Behaviourial Problems

"The more effective perspective is to see discipline as a way to help students become mature and independent."

Students often use negative behaviours as a cry for help. A hungry child cannot learn to read.

Self-discipline must be the ultimate goal. Schools must have an environment of caring, trust, respect, responsibility and fair play.

Some students in the system suffer from behavioral problems. Some terrorize other students.

The only true discipline is self-discipline.

The key to better schools is motivated students, and motivating hinges on self-respect.

Indiscipline in the form of insolence, disobedience and the refusal of students to apply themselves academically is rampant. It is very disturbing that many students do not know why they are in school or where they are going, and their behaviour "betrays a certain desperation".

6. Peer Discipline

It is important to include students in some decision making. It raises self-esteem. Offering choices will help them feel independent, valued and responsible. It is a move toward self-discipline.

One suggestion to the Committee was that a committee of students from various parts of the Province be formed to investigate the level of student abuse and discipline to seek suggestions on how to combat the problem and to forward a report of their findings to the Chairman of the Select Committee on Education.

There should be mandatory inclusion of students in the disciplinarian process by a student Board selected by Administration and staff from the cross section of the population who have participated in the disciplinary process.

The use of peer discipline rather than suspension may be more effective. There is a need for early diagnosis of behaviour problems and qualified staff to work with students.

7. Parental Involvement

Lack of parental knowledge is a problem.

Lack of parental awareness widens the gap between home and school.

Parents must be actively encouraged to participate in matters regarding school discipline. They must be full partners.

Home and School Associations should volunteer time in the classrooms.

Parents need to teach children to respect teachers.

The primary responsibility of discipline is that of the parents.

A number of research studies conclude that parent involvement in almost any form improves student achievement. A study by the Toronto Board of Education in 1987 indicated "the evidence suggests that no other single focus has the potential to be as productive for students as the closer linking of home and school."

8. Values

"There is a real issue regarding values. What values do we stand for in our schools and are those values supported in the community? This consensus of values among teachers, parents, students and community members must not be built upon mediocrity, but must demand hard work, quality, respect and a love of learning. A problem we often face as educators is a clash in values between the school and home. In this situation the school will almost always fail."

There has been a sharp decline in respect for authority over the past number of years. Respect for authority and behaviour can be improved if teachers are given greater control over discipline.

There should be a morals course or religious course compulsory in the school system. Students should have input into the Code of Conduct, or Code of Stability.

Schools are only one influence acting on us. While schools influence many, they will not be the dominant, nor should they be the dominant, influence upon children. Churches, social agencies, parents, homes, mass media and the entire community exercise strong influences.

This is the multi-faceted issue. Discipline is but one aspect of a complex climate. It is dependent on such things as philosophy, attitudes and values of all associated with the school. Balancing the needs of individual students with the needs in the majority of children is challenging at best.

Schools should reflect society's standards and prepare children to be good citizens.

9. Discipline Policies / Behaviour Codes

With respect to the discipline problem, there is wide range of rules, and the application of discipline even within a given school. The approach to discipline depends very often on the individual teacher. There should be a policy handbook establishing basic rules and guidelines to be followed by all individuals in discipline situations.

School Boards should establish standards of discipline for their district and make these known to teachers, students and parents.

There are no formal behavioral codes set forth in a number of School Boards.

Participation in school activities should be every student's right - not a prize or reward for achievement. Children should not be held back due to behavioral related problems. Elitism and exclusion should be discouraged.

A Code of Ethics or standard of behaviour is absolutely necessary.

An individual school's discipline policy and school system's discipline policies should be formulated with the combined efforts of students, teachers, parents and appropriate Administrative and Board personnel.

Discipline policies should be printed in student handbooks including rights, responsibilities, and consequences.

Discipline policies should emphasize the importance of regular attendance, respect for teachers, academic work and good conduct. Behaviour and academic success go together.

A school system's discipline policy should be prepared by the Board with the assistance of administrators, teachers, staff, parents and students.

Schools and districts should examine models of discipline in order to prepare a formal discipline policy that promotes and teaches self-discipline strategies. For students, a sequential framework of expectations and consequences.

Individual school boards should be helped to formulate a code of behaviour in order that teachers and principals have a well-defined course of action to follow.

This is solely a matter of Board policy - strengthen school discipline rather than weaken it.

The rules are not enforced if the offender or his parents create enough waves.

The enforcement of rules leaves much to be desired. There are different rules for different students regarding discipline.

An example of behaviour which could result in suspension from school is "lack of effort and achievement" (imagine kicking someone out of school because they are not achieving).

Appeals from suspensions are not encouraged by the School Board.

School administrators should be provided with proper documentation procedures for discipline cases. School districts should form crisis intervention committees to deal with chronic discipline problems. We must develop policies that promote and teach self-discipline strategies in a sequential framework of expectations and consequences.

That information regarding school discipline standards in Nova Scotia be made available to the public.

The discipline of students and attendance regulations in public schools should be planned and applied so as to be seen as fair and reasonable and to encourage a meaningful self-discipline, understanding acceptance of the work ethic and an appreciation of the value of learning.

Discipline and attendance regulations cannot be effective if school principals and vice-principals are seen as enforcers. Discipline should involve all professional teaching staff in the schools.

10. Teacher Training / Supports

Teachers need support to acquire knowledge and practical skills required for the new circumstances of student discipline. Physical punishment, verbal abuse and sarcasm are not acceptable as responses to discipline problems. The goal of student discipline should be self-discipline.

Information doubles every nine hundred days. The majority of parents have no children under the age of eighteen. The number of single parent families has doubled during the past fifteen years. Schools have remained the same. Twenty or thirty-year old methodology is part of the problem. Teachers need to be trained to deliver programs that inspire students to become involved in and take responsibility for their own learning. Discipline will not be brought about by regulations but by changes in instructional practices.

Teachers require more support in the classroom.

Some students who are discipline problems to some teachers are not for others. Poor relationships and a clash of values, personalities, velocities and even power between the student and teacher can be the cause of some difficulties. There must be a consistency of expectations for students by the home and school. Sometimes teachers are responsible for negative outcomes.

Teaching strategies, class structures, time tabling, teacher training, school climate, daily routines and a number of other factors have a significant influence on discipline.

Teachers and administrators must be role models not only for appropriate behaviours but also for dealing with inappropriate behaviours.

"There is professional literature and there are courses available to help teachers learn better techniques for classroom management. Presently there is no obligation to ensure teachers are skilled beyond their basic training. In-service workshops during the school year are insufficient to address the needs of some teachers to deal with some students."

Teachers are expected to be disciplinarians but there is very little training and educational programs on this issue.

Discipline problems contribute to stress, disillusionment, failure and burnout of teachers.

Professional development opportunities should be made available to the teaching profession. Support should be provided for programs to assist school staff and parents in improving discipline.

To deal with the school discipline problem, a number of measures must be undertaken including the obtaining of school guidance teachers and psychologists. In addition, teacher training should be adapted to deal with this problem in the classroom. New school options, changes to the school year including tri-semestering should be examined.

Schools have changed dramatically in the past 20 years. More special needs students are being integrated into the regular classroom. These students have learning disabilities, behaviourial disorders, mental retardation, hearing, visual and other physical impairments, speech and language disorders, autism and multiple handicaps. These needs require that schools have individualized programs and significant supports available from specialized educational, health and social services. A greater degree of cooperation and communication is required between parents, school and community support agencies. Yet teachers have had little training in dealing with these new challenges. Certain basic principles must be established. Schools must be safe, caring orderly environments. School personnel cannot be expected to cope with all of the problems exhibited by their students without external support.

Aside from behaviourial and personal difficulties, the schools face problems related to drug and alcohol abuse, racial disputes and assaults. One of the necessary functions of schools is to discipline students yet the only tools to do so are detention, suspensions and exclusions of privileges. Schools must be involved with enforcing rules and in promoting discipline. District boards and individual schools can set rules about the discipline of students.

In some schools, teachers are not sure who has been suspended and who has not. They do not communicate well.

There must be a certain amount of order in the classroom. Some students do not always conform. It is important for teachers to ask questions in relation to student behaviour and relation to specific students. For example, has the student eaten today, is the student being abused at home, does the student suffer from learning disabilities or have social problems, is there a drug problem, what kind of family support is there, is the student's learning style suited to the particular classroom style? There must be clear policy, procedures and ramifications in dealing with these issues.

Teachers should not pretend to be experts. Children will see through it and it undermines their authority.

There is a lack of consistency with regards to discipline from class to class particularly in junior and senior high school.

11. Specific Solutions

An organized in-school suspension program is an integral part of any effort of rehabilitation. We must be concerned about rehabilitation rather than simply punitive measures.

In house suspension should be used for students as much as possible. There is a belief that we can deal with the "bad" student.

A co-operative program with Social Services, Health and Education should be promoted. There should be a pilot program to reduce the number of students suspended from school. The PDR program must be emphasized and receive high priority in the upper elementary and junior high grades. There must be more PDR guides, resources and in-service time for teachers. The PDR program must be given high priority and qualified teachers must be teaching the program. Early identification of students who have discipline or behavioral problems is important.

Society has an interest in seeing that our schools are orderly, active, productive learning environments. Greater confidence, understanding and involvement of parents and guardians in supporting this essential role of the school is important. Schools cannot allow the behaviour of a few to impact negatively on the educational development of the majority. Attendance regulations must contain sufficient penalties for parents and guardians refusing to comply with the regulations. Schools must be made more inviting, attractive and challenging to encourage attendance and lifelong learning.

In-school suspensions work.

The Government of Nova Scotia should convene a Committee representative of the Nova Scotia Teachers Union, the Department of Education and the Nova Scotia School Boards Association, the Federation of Home and School Associations to jointly address concerns of school discipline in order to prepare appropriate legislation for inclusion in any new School's Act.

School districts should be encouraged to form crisis intervention committees.

The Province must provide additional direction with respect to discipline in our schools and provide the support services to handle and reduce problems of discipline. Such support services should include social workers, elementary guidance counsellors, enhanced secondary school guidance services, and school psychologists.

Any suspension should be an in-school suspension where the offender is placed in an area with all distractions removed. An in-school suspension should try to promote learning rather than requiring an absence.

Class sizes should not exceed 15 students in grade primary and 20 students in higher grades. Comprehensive discipline programs should include social services. Resources are necessary to deal with the discipline problem.

We should consider a comprehensive review of Nova Scotian attitudes towards standards of behaviour in schools. With the onset of the promotion of the interest of the individual, it may be time to explore how personal interest can co-exist within the broader goals of schooling. There is increased apathy among professionals who find it more difficult to achieve the goals of education. We require substantial commitments of additional resources in order to deal with the kinds of behaviourial disorders in our school system.

The only time a student should be suspended from school is when that student's behaviour habitually interferes with other students' rights to their education or interferes with the physical safety of other students and there has been a hearing involving the status of that student which should involve the student's parents or guardian, the student, principal, teacher involved and school psychologist.

For many "offenses" that don't actually interfere with other students' education, it is pointless to remove the student from school. Suspending a student because they are habitually late or do not complete homework assignments, for smoking or skipping classes does not make sense.

Small rural elementary schools often do not have serious discipline problems. However, students leaving grade 6 and entering grade 7 in the junior high schools often face an entirely different environment. There is some suggestion that remaining in the small school setting for an additional two years (grades 7 and 8) may be educationally beneficial for such students.

Children who misbehave should be assigned extra work to be supervised by teachers after school or during lunch. The extra work should fit the crime.

There must be support and correction for students who cannot or will not conform to acceptable standards.

The Government of Nova Scotia should convene a Committee representative of the Nova Scotia Teachers Union, the Department of Education, the Nova Scotia School Boards Association and the Federation of Home and School Associations to jointly address concerns of school discipline with the specific intent of recommending appropriate legislation and other policies.

Expectations for students should be clear and known. They should be in printed form, should be orally reviewed on several occasions throughout the school year and parents should be informed in writing. Each school should have such rules appropriately promulgated. The School Board should ensure that a Province-wide standard with respect to basic discipline policy is achieved.

By and large, rules should be the same for smaller schools within the Board District and across the Province, yet there must continue to be flexibility in approaches.

Establish clear expectations, rights and responsibilities.

Many schools have student handbooks. There should be a standard section for each district in all handbooks with respect to the district wide discipline policy as set down by the Board with provision for individual school rules to meet particular school requirements, subject always to the overall policies of the Board.

12. Rights and Responsibilities

"The presence of teachers in classrooms and corridors is the key to ordering discipline in our schools". Because of contractual obligations, teachers are no longer required to supervise students beyond class time. This is contributed to the decline of respect and conduct.

Today's teachers are asked to be drug, sex, safety and health educators, to engender in children's self-esteem, control and respect the responsibilities, to be psychologists, social workers, referees and policeman. Teachers have to be concerned about their own rights and responsibilities.

Schools have to take back their authority.

Teachers and students deserve protection from some students. A code of discipline should expect standards of behaviour normally expected elsewhere in the community.

We must allow our teachers to teach and not place impossible burdens on them. Schools must be learner friendly for everyone in attendance.

The Education Act and the Young Offenders Act should be reviewed with a view to providing more support to teachers and other people charged with the care of students. Behaviour cannot be left to schools alone. It is a social matter. There should be an alternative educational setting that would address the needs of young people who have rejected the traditional school setting.

Teachers are spending an inordinate amount of class time attempting to control a small number of disturbing students. This robs other students of their rightful education. It causes undo stress and frustration for teachers.

Under the Provincial agreement, teachers need not supervise students during non-class hours. There is a growing perception that student discipline has deteriorated since teachers have elected not to perform supervision before and after school, in the corridors and on the school grounds during the lunch and recess breaks. "It seems paradoxical that teachers who are charged with the maintenance of order and discipline in the school can contract out this responsibility to non-teachers. For the sake of a few minutes peace, teachers are paying the price during afternoon periods as well as having to contend with the generally lower level of respect from students. The presence of teachers is the key to the maintenance of order and discipline in the corridors and classrooms of the school. Article 13 must either be removed from the Provincial contract or amended. Reasonable duty schedules must be constructed to ease the supervision burden on teachers."

The NSTU report entitled "Discipline in Schools" when asking the question, "when and where do discipline problems usually occur in the school," learned "during the lunch break, when students are not closely supervised, during unstructured time." "Supervision by teachers with assistance from non-teachers could go a long way to provide the benefit currently enjoyed by teachers while helping to alleviate some of the costs incurred in this area by school boards. Teachers are disciplinarians, they cannot be allowed to contract out of this responsibility, duty, obligation." "What is needed now is a clear delineation of the rights and responsibilities of both students and teachers as well as clearly stated consequences."

Some complaints were received regarding unfair treatment at the hands of teachers and administrators. Some schools are not pleasant places to learn in. Sometimes it is suggested the School Board is not following a proper route to suspend students and notification of parents is not being carried out. It was suggested in one case that the School Board is not always notified of a suspension. Some parents are intimidated by the system and are afraid to complain. Some are made to feel that to appeal a suspension would make matters worse for their child.

13. Resources and Costs

The Colchester East Hants district School Board spends $400,000.00 per year to supervise students.

Vandalism is a serious problem in our schools. Teachers seem to be complacent about this issue, which costs taxpayers millions of dollars. Teachers work in schools. Employees usually take pride in their place of work and should assist the employer to prevent theft or damage to the workplace. In private business, such activity will result in the business going under and the employee will have no job. We should look to teachers and students for solutions to this problem. Perhaps we should have a program similar to Crimestoppers that would operate directly from the school, ie. students would receive awards for the conviction of other students for vandalism. Student councils could be appropriately rewarded for programs that they introduced that actually reduced vandalism.

The provision of timely services for early intervention and prevention is more appropriate then expenditures on correction and punishment.

Attendance

Submissions

1. Enforce the Law

With respect to attendance, there should be an enforceable law or none at all. The current law in Nova Scotia is extremely difficult to enforce due to Section 68(3) which gives the parents or guardians an escape clause. There is some guidance in the Alberta's Schools Act.

There must be attendance regulations. It is a major factor in academic development. Regulations must require the regular attendance of all schools regardless of age. Such regulations must be enforceable. For whatever reason, school boards have lost their ability to deal effectively with poor attendance.

There is not enough authority for teachers or administrators to ensure regular attendance of students.

Because of the introduction of the Young Offenders Act, most of the punitive provisions were removed from the then existing Education Act to reflect the change in the legislative environment. Now we have compulsory attendance with no real consequences for non-attendance.

All teachers are required to keep a record of subject attendance. The attendance records that are required to be kept now, if properly maintained, would quickly identify the extent of the problem if any.

2. Change the Law

Compulsory attendance after grade 9 may be beating a dead horse. Some can only pass from grade to grade if the standard is lowered enough to let them fall to the next level.

Current attendance regulations lack effectiveness.

Attendance regulations at present are unenforceable.

The section regarding penalties for parents needs to be updated.

The penalty concerning employers should be reviewed.

Adjournment for 'up to six months' may be too long.

Perhaps the Act should more precisely delineate the responsibilities of the school system to these children."

The Act would have to be reviewed in light of the new Children Services Act. Child welfare agencies would not be able to determine if the student was "a child in need of protection" simply on the basis of non-attendance in school.

After a rewriting of legislation, there should be an opportunity for response and input before a new Bill is tabled.

"The Public Schools Act should embody principles regarding student behaviour, including absenteeism. We need to compassionately and intelligently set limits and use authority."

The general consensus of most people is that the statute, as it relates to attendance, is totally ineffective. School officials go through the motion but the process is seriously flawed. Education is a necessity yet the current Children Services Act does not consider a student not attend as a neglect of the child's needs.

Mandatory attendance laws to age 16 must be enacted and enforced with parents or guardians liable after 10 days of unexcused absence per school year.

School boards require adequate and enforceable penalties or acceptable educational options to deal with students who do not attend school regularly.

Attendance regulations are an integral part of any discipline policy.

There should be one agency to deal with all students between the ages of 5 and 16 whose attendance is deemed unsatisfactory.

Mandatory attendance laws should be enacted and enforced with parents and guardians liable after a period of unexcused absence. There should be mandated attendance officers.

3. Family Court

Nova Scotia is the only Province where school attendance problems are referred by statutes to the Family Court for resolution. "The practice is both archaic and ineffective."

In some cases the only recourse is to Family Court. In that case the position of the Family Court must be reinforced.

The Family Court route is extremely difficult. If a child is brought into Court for a truancy hearing, the Judge may have only two options; "ordering the child to school or dismissing the case. If an order is made and is unsuccessful, what then?"

"An expanded range of options should be provided for judges that could include the authority to order assessments and to set time limits for their completion."

"Use of the Courts is becoming less of an option. But response to inappropriate behaviour must be quick, consistent, fair and firm."

4. Attendance Officers

Not every Board has a fulltime attendance officer.

Attendance regulations involves school officials in a time consuming process and data collection.

It is too easy for students to get out of classes, appear late in the mornings and afternoons. We should give some consideration to truant officers.

5. Compulsory Attendance

It is appropriate for government to issue a statement on the compulsory nature of schooling, through clear unequivocal language, describing the school's authority and responsibility with regard to pupil attendance.

6. Minimum Course Requirements

In higher grades there should be a required number of hours in order to graduate from a particular course. All information regarding salaries and expenses should be available upon request, indeed all information should be available upon request except for personal records.

We should research the advisability of requiring a certain number of minimum hours of attendance for a course offering.

If a school credit requires a minimum of 120 hours for completion, then is a student who does not comply with the 120 hour minimum entitled to a credit? If a student is not required to attend 120 hours, then what deterrent exists to promote student attendance? If a student is not required to attend then on what basis can the credit be denied?

There should be a minimum attendance in order to achieve a credit for schooling. More emphasis needs to be placed on attendance by School Boards, teachers and parents.

7. Other

The Act should be amended to provide that students must attend the school in the district in which he/she resides. Residency should be clearly defined.

Attendance policies should be formulated to fit the needs of the specific community, considering geographical area, financial resources, local customs, school district population, and socioeconomic levels.

There is not a single reason for non-attendance at school.

"There should be residential facilities to which demands could be made for out of control children that are considered 'at risk'."

"These issues invite debate on: (a) The right of a child to attend school, (b) The duty of the school to accept all persons of school age, (c) The capacity of the school to respond to certain individuals, and (d) The mission of the school to impart knowledge."

Legislatures must reconcile in public policy the conflict between the school as an instrument of social selection and the school as an inclusive institution.

Frequent absences from schools can be an early indicator of a subsequent drop out.

Discipline and attendance regulations should be understood as something which is done for students, not to students.

8. Curriculum

Attendance problems are related to problems of instruction, the program of instruction. They cannot be viewed in isolation. Instruction must be appropriate for the students. We must provide for vocational schools.

Students who experience self-worth and success within the school do not have a problem with attendance.

The causes of truancy should be identified with alternate education programs provided to permit the success of persons who cannot function in traditional educational settings.

"Compulsory education should only be identified in the Act. Its reality is that it is mandatory. The alternative is redefinition."

"School systems should be encouraged to recognize the need for alternative programming, especially in junior high school, that could be more relevant to these students and inter-agency creativity could be utilized to encourage some education alternatives for the few that are having great difficulty in functioning within the traditional setting. The focus could be 'doing something productive and worthwhile during school hours'."

Students cannot learn if they are not in school.

9. Parents

Parents must assume full obligations in ensuring their children attend school regularly. When non-attendance occurs, both parents and students should be considered as breaking the law and substantial penalties should be articulated and enforced.

There must be a deterrent for those parents who neglect their obligation to have their children regularly attend school. Judges have neither the time nor the inclination to handle school attendance problems. The articles under the Act should outline substantive penalties to parents.

There are no meaningful negative consequences for a failure to comply with mandatory school attendance. The legislated responsibility of parents to ensure attendance of their children at school is negated by the same legislation which provides them with an excuse for failing to do so. Parental responsibility should be enforced.

10. Exemptions

There is need for flexibility of exemptions. Some children have serious mental or physical health impairments. They cannot be adequately met. Financial resources and responsibilities should be assigned to a provincial committee to ensure the needs of these students are met.

"The Queens District School Board recommends that enforceable attendance regulations be included in the new Education Act and exemptions for school attendance be restricted to children with serious mental and/or physical health impairments, children who are attending private schools and institutions and children who are on home study with the approval of the Minister of Education and/or school district."

A student who wants to participate in sports should be expected to attend classes. Some students do not have to attend school regularly and yet are always present to play sports.

11. Solutions

A study conducted by the NSTU indicated:

(1) Causes and intervention strategies regarding attendance must focus on the individual student.

(2) There are a number of reasons for school attendance problems.

(3) Education must become a real and compelling option in students' minds.

(4) Clarity and consistency is required in the establishment and the enforcement of school attendance policies.

(5) An early identification of attendance problems and follow up of individual student absences is required.

(6) Community involvement is needed.

(7) Evaluations that enable the identification of effective programs is required.

(8) Courts have a role to play when other interventions have not proven successful.

The NSTU recommends that attendance regulations be addressed at four levels:

(1) School districts should formulate written policies for identification, intervention, and follow-up. Educational programs can serve as interventions for students with attendance problems.

(2) Schools should have a consistent accurate procedure for monitoring student attendance and providing immediate attention to absence.

(3) At the community level there should be ongoing discussions among the school staff, parent groups or community agencies in order to develop and implement co-operative approaches to attendance problems. Each school district should establish a team representative of the community to address attendance issues.

(4) The Department of Education should conduct a provincial study of student absenteeism to determine the nature and extent of the problem and identify appropriate strategies to deal with this issue.

The Department of Education should carry out a study on attendance with a view to establishing a provincial policy enforceable and supported by all partners in education.

The provincial government should find effective ways of enforcing compulsory education or the regulations should be changed.

A number of presenters suggested that family allowance payments be discontinued to any parent neglecting to send his/her child to school on a regular basis.

Attendance should be related to grade completion. A minimum number of hours of class time in each grade or subject must be required for completion of that grade or subject. Attendance is very important in the working world. It should be important in school as well.

The Lunenburg local of the NSTU supports the findings of the NSTU Committee on School Attendance and makes the following recommendations:

(1) School districts have a written attendance policy with identification, intervention and follow up procedures.

(2) Boards must provide a varied spectrum of educational programs to address the needs of students who have poor attendance records.

(3) The role of community involvement is essential in implementing and developing a process to address the attendance issues.

"If attendance is compulsory, there should be a consequence for non-attendance."

"Prevention of non-attendance should receive more emphasis and a sincere effort towards early identification should be a priority."

Truancy is a means of communication. There needs to be a continuum of services from early identification and intervention at the lower elementary level, individual and parent counselling, diagnostic and curriculum modification, alternative programs and ultimately treatment centres for children out of control at home, in school and in the community. It must be remembered that some out of control children in our schools may become out of control adults, some of them, perhaps later in life, form the criminal element.

Any attendance at school which is linked with social/financial benefits should be carefully monitored. Applications for social assistance, veteran dependant's benefit, benefits paid to survivors or orphans under the Canada Pension Plan and others should include a section in which the guardian or independent student give signed permission for the agency to monitor attendance and adjust benefits accordingly.

The availability of daycare facilities available for young mothers attending school is absolutely essential.

There must be appropriate alternatives provided to school boards to enforce school attendance. Some alternatives include:

(1) School based initiatives such as counselling, parent/staff discussions and program alterations.

(2) Collaboration with special services personnel.

(3) Cooperation with Community Services and other agencies.

(4) The legal avenue.

The Department of Health and Fitness report "A Comprehensive Service Plan for Children and Adolescents" is based on inter-agency cooperation.

Schools must have a consistent, accurate procedure for monitoring student absence in providing for immediate attention to student absences.

Students over the age of fourteen who are habitually absent should be refused admission to classes and examinations.

12. Policy

Each school must have a clearly defined attendance policy available to students, parents and teachers.

Parents should be notified immediately of the absence of the student.

"There should be uniformity in the application of the regulations throughout Nova Scotia."

Schools must have a consistent, accurate procedure for monitoring and attending to absences. A school district should have a written policy with a wide variety of intervention strategies for attendance problems.

Each school district must have a written attendance policy with procedures for identification, intervention and follow-up. There must be community involvement with the problem involving school staff, parent groups and community agencies. There should be a team representative of the community to address attendance issues.

School districts should have a written and consistent attendance policy for coping with students who fail to attend school regularly. The policies should be developed by the School Board and teachers.

The Department of Education should conduct a provincial study of student absenteeism to determine the nature and extent of the problem and to identify appropriate strategies used to deal with the issue. When those strategies are identified in consultation with the NSSBA, the NSTU and other interested groups, that such strategies be communicated Province-wide to all district school boards for implementation on a district level and in schools.

Dropout Rates

Submissions

1. The Problem

There are many factors that cause students to drop out of school. These include learning disabilities, family conflict including child abuse, alcohol and drug abuse, poor nutrition, financial stress and lack of school programs which are suitable to certain students. There are a myriad of problems and they require a number of solutions. There is a very severe social cost if we do not deal with these problems. There is also a serious financial cost through unemployment insurance and social assistance. The WOW (Work Orientation Workshops) and SIS (Stay In School) initiatives have been particularly effective. However, funding for such projects is indefinite. What is required is a wide ranging long term solution for high school student drop outs in Nova Scotia.

Our Canadian educational system spends more money per capita than most other nations in the world and yet 30% of our people drop out of school. Another 30% stay in school and graduate but find themselves ill-prepared for life. There is something basically wrong.

Students do not drop out of school where good things are happening to them. Where they feel happy, safe and have a feeling of achievement. Fundamental changes are necessary for a long-term solution.

Everyone has to recognize the problem first. Then if all the stakeholders recognize the problem, we can then put aside differences and work together.

School Dropout Rates: This is a popular whipping boy but may not be easy to overcome since "study is hard work and many will simply refuse to do it". In order to maintain a sensible standard after grade nine, those unwilling to work may possibly have to remain as dropouts. If I am a grade 11 student and I am totally unwilling to do the work, what are you going to do about it other than to let me go?

Improvements made with respect to attendance, discipline and teacher classification, if not addressed, increase the number of students who discontinue their schooling before grade 12.

Even a few dropouts should be regarded as too many.

"Students who leave school as dropouts have felt real or imagined rejection by the school system often long before they themselves rejected the school."

Research is clear on factors responsible for early school leaving: the school itself, socioeconomic status, peer pressure, family background and environment. Research indicates that potential school dropouts are readily identifiable from the earliest years in elementary school. The WOW program (Work Orientation Workshops) is an eight week program in the summer and it hires new teacher graduates to work with students. This program assisted 600 students with 96% of the students returning to school in the fall. This program has received very positive reviews from across the Province.

The dropout problem is a national tragedy. Preventing school dropouts takes time, commitment and additional resources.

Some years ago the Graham Commission recommended that students who fail to make progress towards stated goals of the Department of Education be removed from schools.

There was a great deal of discussion about dropout rates and about statistics. It was apparent that different methods of measuring dropouts were being used and it makes the issue very confusing. There is little if any tracking of school dropouts.

It takes too long for assessments and referrals of psychologists to get done.

Student withdrawal is related to poor attendance. Attendance problems arise from lack of proficiency and interest. New teaching strategies and methodologies must be relied upon to make school more attractive.

There are different definitions for dropouts. Some boards take the view that any student who ceases to attend any school anywhere during the school year is a dropout.

Our students are not reaching their full potential.

A lot of dropouts are the result of discrimination in the system. If you are a somebody you will do well regardless of your abilities. If you are nobody you cannot. A recent suicide was blamed on the school system and the negative self esteem implanted in the young girl.

A recent suicide was blamed on the school system and the negative self-esteem implanted in the young girl.

There is a group of students in no man's land now. The intermediate program is gone, they cannot get through the regular system and they cannot go into community college.

Although the goal may be to keep students in school through Grade 12, we cannot expect all students to achieve the same academic skills. The Community perceives all grade 12 graduates as being literate.

As time goes on, fewer and fewer jobs are available to those who have not achieved Grade 12 education. Indeed, there is an increasing need for greater levels of education.

The retention rate in rural schools is very high.

The reasons for students leaving school early are varied and complex. The solution must be long term, varied, and complex.

There is a long-term cost to society if we do not act on the issue.

Some predictions suggest that young people will have to change jobs up to sixteen times in a course of working lifetime. Students must be developed as life-long learners - flexible and mobile.

In country schools, there is often a high degree of security in the environments of the school and community.

The students on the lower end of the social and intelligence scale tend to be disruptive and disgruntled, because of lack of basic skills, lack of self worth and consequent boredom. They give up easily, are unmotivated and undisciplined in their school work. Many of these students are emotionally disturbed. The system perpetuates it.

"Dropping out of school is a gradual process which begins with absenteeism."

2. Curriculum

All students should have adequate access to well-trained experienced guidance counsellors. There are presently ill-trained or untrained and inexperienced school counsellors serving in systems.

Early intervention is critical. It is cheaper to provide adequate counselling services to our children than to imprison them at a cost of $50,000 per year.

There must be earlier access to vocational training. There should be in school suspensions in short term special classrooms.

All students must move ahead with their classes regardless of academic achievement.

Other course options should be provided for non-academic students.

Many problems associated with students staying in school are best addressed through appropriate vocational education.

The community college system is fast becoming a post-secondary institution. Many students are frustrated with the classroom format of education. They will not receive adequate academic education prior to entering a vocational or trades training. They will not achieve the necessary academic qualifications to allow them to enter a community college system. They have nowhere to go.

Currently, schools are centres for the delivery of services including health, social development as well as intellectual development.

There should be a broad range of instructional programs for at risk students. Included in these could be dropout retrieval programs, educational alternative programs, teenage parenting groups, substance abuse programs, disciplinary programs and youth services programs.

Career education, apprenticeship and co-operative education programs, and work study and job sharing programs must be available for students.

Career courses for students to encourage motivation are vital. We should have the opportunity for trade orientation business skills or similar programs in junior high and in senior high apprenticeship programs.

Education is not relevant, the way it is delivered now, to what we need.

Rural communities live directly or indirectly as the result of fishing, forestry, farming and mining, yet the education system does not offer a single course relevant to these activities.

Many students do not feel that school is meeting their needs. Most students do not wish to drop out of school. Government must provide special funding for programs which will prevent early withdrawal from school.

Anti-racist elements must be included in all curriculum guides. There should be a greater emphasis on the humanities.

Children between the ages of twelve and fifteen require a special arts program distinct from the traditional secondary program. Teachers require a particular training in dealing with such students.

The co-op education program allows for the education of a student to occur both at school and in a business or trade in the community. This is a good program.

Career education must be mandated by the Department of Education PSP through the curriculum to all students, infused in all subject areas and delivered to the school system from primary to grade 12.

There should be a course introduced as part of the senior high program to help students learn time management and study skills. There must be the opportunity for home study, evening classes, supervised correspondence, adult day schools and career courses.

The Intermediate Industrial Program (I.I.P.) provides junior high students the opportunity to spend one half day in workshops in carpentry, general mechanics, sheet metal and life skills and the other half day studying academic subjects such as math, English and science. The I.I.P. students, when they reached Grade 10, would either move into the regular academic program or take more concentrated studies at the Vocational School in particular trades. The Senior Industrial Program allowed students in Grades 10, 11 and 12 to specialize in areas such as drafting, cosmetology, small gas engine, motor vehicle repair, motor vehicle body repair, commercial art, carpentry, plumbing, electrical and masonry. If successful, these students could claim a credit towards high school completion certificates. These programs were considered one of the best methods a school board had to reduce school dropouts. The concern is the continuation of these programs and easily accessible training for youth attending school and wishing to take advantage of such programs through the community college system.

The I.I.P and S.I.P. courses should be designated part of the core program of our community colleges.

The education system should "take a proactive stance on the issue through a preventative program that focuses on curriculum strategies, support service and resource programs."

Schools must be designed to assist all students, not only those who wish to follow an academic path.

While the Stay in School Program is a good one, it does not replace the WOW program that once existed.

Alternative programs for students in facilities outside of the school system have been used with success.

There is a real concern with respect to vocational training in the Province. A number of students that cannot get through grade 12 academically need an opening that used to be present with the old vocational school system. There is no vocational program now and the student is falling through the cracks.

Effective guidance services has not been a priority. Often, students going into university or college absorb most of the guidance services available. With regard to community colleges, apprenticeship training should be planned as part of the objectives of the course.

Throughout the public school experience, there must be strong component of career development in the education program. Students need to learn about their strengths and interests and about realistic options. "Graduation without determining an option to pursue should not be acceptable."

3. Learning Difficulties

A disproportionately large number of gifted students drop out of school or become significant under achievers.

When they do obtain education appropriate to their needs, gifted learners are often unable to maintain self motivation. Behaviour problems can result.

Various studies have indicated that "from fourteen to thirty percent of school drop outs are from the 2 to 3 percent of the school population considered gifted or talented."

It has been suggested that a very high percentage of young people in drug and alcohol detoxification centres are within the top 5% in terms of intelligence. "Nineteen percent of all the inmates in federal prisons today have IQs in excess of 140 (profoundly gifted)"

4. Parental / Family

We need parent effectiveness workshops.

There is a close relationship between the level of student placement in school and the socioeconomic status of families - the more disadvantaged, the lower the stream students are likely to be placed in.

There is a direct link between a school and its community, its size, the performance of its students academically and the dropout rate. This is particularly true of schools in rural areas.

Approximately 45% of those who quit school leave because of family violence or poverty. An education for such students requires efforts by various agencies.

Students leave school due to poor quality education but also due to a number of non-school related reasons, particularly social economic challenges. Poverty, family violence, pregnant teenagers, medical concerns, emotional/mental instability, lack of parental support -- are all reasons that can interfere with a student continuing school. These issues must be addressed in a unified way by urging government departments such as education, social services, culture and leisure services and mental health to work more closely together to meet the needs of at risk students.

The kinds of education responsibilities now being imposed on teachers are those that traditionally belonged to the home and the church. Such children cannot be appropriately influenced in classes of growing size and schools with dwindling services. "Somehow the goal of co-operation has to finally be achieved."

A lot of people have difficulty with their children's education and are fearful of the outcome. The parent is not able to be more involved particularly in higher grades.

5. Values / Relevance

The "attributes necessary for school success are diminishing in importance to students, and to society in general". These attributes include "a strong work ethic, willingness to assume personal responsibility for learning, regular attendance, appropriate conduct, respect for others and agreement between home and school in establishing expectations and consequences." (Queens District School Board).

Life is difficult for many families and pessimism is rampant. The decaying of society has placed a greater burden on the school system.

All students must be aware that continuous learning is possible and a necessity for life beyond school. Education is a corner stone for everyone. "We believe the ability to learn will be the premium skill of the future."

We have created a legacy of despair for ourselves and our children by our policies. To be successful, our children must move away. They learn failure early. We have relied too much on others and don't help ourselves enough.

Relevance is a key issue involved with the dropout rate.

Students for whom the school curriculum has lost its relevance have little reason to stay in school. "Perhaps there is a distinction to be drawn between life preparation and post-secondary preparation. Changes need to be made to the former. Some parents are intimidated about speaking out."

One student left school in grade 11 because she "couldn't contend with another year of misinformation, attitude, insensitivity and misplaced, intellectual superiority."

There is a "permission to pass" system in place that no one speaks of. Students who can barely read and write at grade 6 are given a "permission to pass" into junior high. Some even make it to grade 9 before they drop out.

The school system is becoming less relevant as it ceases to serve all of its constituents. The current requirement for grade 12 to obtain entrance to community colleges leaves a gap in the education systems which many students cannot bridge. There are two significant problems with the dropping out phenomenon. First, for those majority of students who do not go on for post-secondary education, there is no clear idea as to what they are supposed to achieve in school. Further, there is an "artificial divorce between school and work". Generally speaking, when students are working and still attending school, their work is considered to be a distraction and detraction from the school system.

When a young person does not feel they are a significant member of society, they have difficulty seeing the need for an education. Many young people have to support themselves while going through school.

6. Policy / Programs

Additional programs like the students at risk program initiated by the federal government must be utilized. Such programs can identify potential student dropouts. Funding is a serious difficulty.

A program similar to students at risk should be funded for the entire Province and funded entirely by the Province.

Criticisms were heard with respect to the "stay in school initiative". The program raised high expectations for many including the learning disabled but for some has fallen short of expectations. It is viewed by some as an abandonment of the original objectives and has now been treated as access by School Boards to "top up" their funding pool. Groups such as parents groups, literacy groups, and community groups, whose mandate is to work with and assist on literacy, have been ignored in applying for resources from the stay in school initiative. The federal government has been urged to look at community based, consumer based, support systems to directly respond to the needs of students in high risk of dropping out of school or of children who have already dropped out of school.

The federally funded stay in school initiative is a good beginning but more research is needed to identify factors leading to early school leaving.

The Work Orientation Workshops (WOW) are very popular. The issue of vocational schools is one that must receive serious examination. Many students are not interested or served by sitting in a classroom. They require hands-on instruction.

"It is our belief that vocational courses, programs and schools must be restored to the educational landscape of Nova Scotia." (Hants West Local NSTU)

The Young Offenders Act has posed some problems for schools. The courts often send the child to school but the schools do not have the resources for that particular child. The federal government has considerable money for stay in school programs but is removing transfer payments.

Co-operative arrangements with local universities can be helpful but there is an "incredible amount of red tape to get through at the university and at the Department of Education" to address local needs.

One stay in school initiative used is peer mathematics tutors to assist students having difficulty with mathematics. There is a role for supporting families at risk.

The community futures program was endorsed.

Programs that depend on short-term funding from sources external to the Department of Education are on precarious footings.

There are a number of important principles that must be considered in a comprehensive program dealing with student drop outs. Such principles include basic remediation skills, reexamination of discipline policies, peer support and early intervention.

Currently, the federal directive for the stay in school initiative indicates that only students between the ages of 12 and 18 may be included in programs focusing on "at risk" students. The federal government should be encouraged to broaden the parameters of this initiative to include all students in the school system.

"What is more alarming than the number of young people who leave school without completing grade 12 is the number of young people who attend classes regularly knowing full well that nothing of real value will be obtained, that the only value of attending classes and performing what the teachers require is a meaningless credit toward a diploma that marks them as having overcome an arbitrary hurdle. The marvel is that the youths do not rise in revolt against the mind numbing, out of date contents and methods of the schools, particularly the senior high schools. The greatest concern that persons in authority should have is that the youth, rather than dropping out in alarming numbers, have been so psychologically and emotionally destroyed that they continue to allow themselves to be subjected to these administrations of the public schools."

There are currently a variety of programs to deal with school dropouts. Some of these programs are helping. But we are not getting at the root of the problems.

7. Solutions

(1) There must be a provision of programs in the PSP or proposed core curriculum that will be tailored to students not following the academic path. The conversion of the vocational schools or community colleges with a grade twelve entry level has effectively shut off an alternative program to students not able to pursue a post secondary education.

(2) Schools must be more caring places. Students must be able to seek out advice regarding personal and educational difficulties.

(3) Educational programs/strategies that address student self-esteem and psychological behaviourial difficulties must be implemented. The PDR program is beneficial but they must be available at all levels in the system including the elementary level. "Potential drop outs can be identified even in students in their elementary school years."

The Department of Education and NSTU should cooperatively develop a media campaign to enhance the professional status of teachers and educate the public on the importance of quality education for our youth.

The School Board should have a long range plan or mission statement to encourage students to achieve their full potential.

There should be a choice of school where space is available. We should use older students or adults as mentors and models to build a support system for students.

We were told that there is not a legislative solution to these problems but government can help through providing services. There needs to be a system of co-operation and interaction between Health, Community Services, and the Attorney General's Department.

Clearly defined roles in our schools for health, social welfare and psychology workers. We need to ensure that students are not hungry, that they are psychologically fit and that they are receiving appropriate guidance. If they are not prepared to learn physically and psychologically, then they cannot learn.

There are presently a number of different programs operating in school districts dealing with student dropouts. However, there is neither consistency nor reliability with what is happening.

There should be provincial regulations regarding school dropouts.

UIC should not be payable to people under the age of 19 years encouraging young people to stay out of school.

Do not have a stay in school program or a WOW program - instead, put the money into the system to ensure community schools stay open.

The federally funded Stay In School initiative is already showing benefits in certain parts of the Province with noted reductions in school dropout rates. If federal funding is withdrawn, this initiative should be maintained by the Province.

The Halifax District School Board established the Young Adult Career Centre to provide counselling and career information to students who cease to attend school.

A task force should be struck to recommend how school boards can minimize the dropout rate in order to educate children to their potential.

That the Government of Nova Scotia establish a Committee representative of the stakeholders in education to develop, monitor and evaluate appropriate school programs and services to allow for successful learning by all children in the Province's schools.

Students at risk must be fast tracked into counselling and other remedial actions to help resolve their difficulties.

The Halifax District School Board provided the Committee with information regarding the "Ardmore Project". A Committee consisting of Board members, staff, union and parent representatives, presented a report to the Board regarding discipline including recommendations suggesting that the Board establish an in-house suspension centre for students who are either poor attenders or whose behaviour consistently interferes with the education of other students. "Occasionally, there are students whose behavioral problems are such that even the best intended teachers, using the most innovative techniques, cannot cope. If such students are not dealt with effectively, they can have a debilitating affect not only on their classmates but on the entire school." There were several parameters to the proposal. Since early intervention was considered more effective, junior high was selected over senior high for the pilot program. The maximum class limit would be 8-10 students. Attendance would be for a period of normally four weeks with a "behaviour and performance contract signed by the student and his parent/guardian as a condition of admission. The objectives of the suspension centre would be to provide assessment in treatment of identified personal difficulties and to teach students that there are negative consequences attached to inappropriate behaviour.

The original Ardmore Project was considered in September, 1972 to provide an alternative learning environment for a small group of students experiencing behavioral difficulties. During the second year, additional students with severe academic and learning disabilities were added resulting in two distinct types of students in the project. In providing a total program for the students, co-operation with other community agencies was of great importance including the IWK Hospital, Canada Manpower, Social Planning, several faculties of Educators, Atlantic Child Guidance, and Children's Aid in Family Court.

Due to various reasons, the program closed in 1976 and was replaced with three or four special classes in a regular school setting.

A long-term commitment by either the Federal government or Provincial government is required to support the programs designed to keep students in school.

In Germany, the system is designed for a combination of work and academia to provide the appropriate transition from full-time study to part-time study to on-the-job training and entry into the workforce or further post-secondary training.

In some parts of the Province, schools and businesses have joined together in partnership to create entrepreneurial approaches to education.

There should be daycare facilities in schools to allow unmarried mothers in the system to obtain an education.

No single approach or strategy will be effective in dealing with school dropouts.

To deal properly with the student drop out problem, requires preventative dollars.

At a time when we face high drop out rates and mediocre performance on international achievement tests, financial resources are shrinking yet the public demands higher levels of performance by our schools. It is essential that the Department of Education develop a comprehensive long-range strategic plan for the future of education in Nova Scotia. We must develop collaboratively, a clear vision in priorities for where we want to go and how we plan to achieve excellence in education.

The mission statement adopted by one school board is: "Keep Kids in School". A variety of programs have been developed in different schools including skill enhancement, employment potential, today's technology in today's classroom and electronic learning network.

There should be mandated co-operation between various departments, services and programs so that service delivery to those most in need it is occurring efficiently and in a timely fashion.

Perhaps welfare provisions could be provided as an incentive for students to stay in school.

Social workers may provide a useful service but their salaries should not be charged against education budgets.

8. The System

There is an important mandate for guidance councillors at elementary levels with some psychological background.

Motivation of students must be considered as important as the curriculum and part of the teacher's job. Schools should not be something to tolerate for 4 1/2 hours each day. Teachers must be inspired and dedicated to make the curriculum interesting and must engage in extra curricular activities by their own participation.

There should be mandatory workshops, and seminars or training sessions to prepare teachers to deal adequately with the subject of sex education in a more comprehensive fashion. A comprehensive, accurate non-judgemental education about sex and sexuality is a necessary step towards reducing the rate of unplanned teen pregnancy. The rate of teen pregnancy is rising. Teen pregnancy has a very definite effect on the school dropout rate.

Over 2,000 girls dropped out of school in Nova Scotia during the 1990-1991 school year, 1784 of them between the ages of 15 and 19. Accidental pregnancy is one reason young women drop out of school. "The pregnancy rate among 15 - 19 year olds in Nova Scotia has been climbing steadily since 1987. "Young women who become mothers in their teens, and leave school, are unlikely to ever finish their education. Returning to school is made difficult by a number of factors including: financial restraints, lack of accessible child care and competing role obligations. Even though the majority of teenage mothers wish to continue their education, the majority do not do so, due to lack of social and economic supports." "Over half of the students in Nova Scotia high schools have had sexual intercourse, and about half of those do so on a regular basis."

"Comprehensive, accurate, non-judgemental education about sex and sexuality is one necessary step towards reducing the rate of unplanned teen pregnancy." "Once they have dropped out, these young mothers face long lasting educational, employment, economic and social repercussions." (Advisory Council on the Status of Women).

School guidance counsellors must not only be qualified as counsellors but should be sensitive to the needs of young women. There should be an indepth review of the guidance program in Nova Scotia schools. The Department of Education should develop a Province-wide policy for all boards to follow in the establishment of comprehensive guidance programs for students.

It is alarming that many dropouts are high achievers. The challenge is for educators to motivate and encourage this group.

Some parents and students feel frustrated with the education system on issues of equality, competence and the like. Some feel powerless to change what they view as a bad system.

Some dropouts have been "socially robbed of their right to their education by people who on any other job would have been fired for the failure ratio." There is considerable dissatisfaction with the education system.

As long as all teachers are classified as "teachers" and someone with specialization in industrial arts may be employed as an intermediate elementary classroom teacher, the matter of layoffs is impossible.

The goal of obtaining a high school education is artificial and arbitrary. "Many of those who leave school before completing grade 12 demonstrate a realistic understanding of the society at large and of the school system and what it has to offer. The actual dropouts are probably less significant than the psychological dropouts that go on to graduate, though disaffected and functionally illiterate.

The significant dropout rate is that of those who complete secondary school and go on to further education to obtain a degree only to transcend into a life of apathy, disillusion, disaffection, depression, under employment or unemployment. The significant 'dropout' is the young person with a B.A., B. Ed., and $26,000 owing on a student loan who refuses a job in a car wash because the job is not want he or she trained for. The significant 'dropout' is the young adult with an MBA who leaves the position as a 'management trainee' because, he/she is expected to do tasks like sweeping the floor, and stacking shelves along side someone who 'didn't complete junior high'."

The wrong people are dropping out! Teachers who fail to contribute effectively to the preparation of youth for life in society, are the ones who should 'dropout'!

Part of education in the school system now must be the teaching of "coping skills" and it is too much to expect for one teacher in a single classroom to do. Further training for teachers is necessary.

In the general program, classrooms can be "holding cells".

Children who are university bound are usually self-motivated. There is very little encouragement for students who are not university bound. We need all students to complete school.

9. Identification

Dropout rates should be closely monitored.

Evidence indicates that potential school dropouts are readily identifiable from the earliest years in elementary school. With respect to dropouts it must be noted that a student drops out of school long before that student leaves the environment or premises of the school. The problem must be addressed as soon as it is identified. We need to prevent every student from dropping out. "Tracking" has not proven effective in achieving positive outcomes.

"I was fourteen years old when I was in Grade 8, and one of the most poignant memories of my life happened that Fall at my school. I came from an upper-middle class family and was in the top 10% of my class. As in most cases, there were three levels of different learning ability among the 33 students in my class: the academic achievers, the average grinders and the general contingent.

Thelma was in my class. She was poor -- she was 'dirt-poor'. Now, I never recall anyone making fun of Thelma in any overt way, but everyone had their own group of buddies, usually adhering to friends in their own cast and academic level. Thelma had no one. She didn't fit in with anyone -- not because she didn't fit into one of the three academic levels, but because she was acutely poverty-stricken. Thelma had long, dirty, dark, stringy hair -- she was dirty looking, and was slightly offensive smelling. She wore clothes, the quality of which you might find after several weeks in a garbage dump.

Now, Thelma never did well in school, and the reason I know that is because the teachers would pass our tests back while calling out our names and respective grade. Often, Thelma was passed back a failing grade. I was never convinced that Thelma was stupid or slow, but rather that she didn't have the same opportunities in life that we had, and almost certainly not the encouragement and support of the family unit, teachers and school system.

I was what you might call one of the more outgoing types with lots of friends, good clothes and good grades. I came from a family of girls that expected excellence. A grade of less than 80% was simply unacceptable. Attending university was a given and therefore never discussed. As girls, we were expected to enter a profession and support ourselves throughout life.

Thelma came from the very poor part of Town. I think she had many younger brothers and sisters to look after because I'd see her every now and then walking home with a few scruffy-looking younger children. Thelma never participated in class and the teachers never called on her. Thelma never participated in a single after-school activity and no one ever asked her. But the most disturbing memory I have of her happened one day in Social Studies class. Mr. Taylor was discussing the textile industry -- what clothing is made of and where it is produced. To illustrate the point, he walked up and down the rows of the classroom, lifting up the tag at the back of everyone's shirt, sweater or blouse to indicate to the class where each student's garment was made and of what it was composed. It was somewhat of an amusing exercise as some of the kids rolled their eyes as Mr. Taylor came to their desk to read their tag.
Then, Mr. Taylor arrived at the row in which Thelma was seated. (Thelma, out of whom I had never heard a dozen words in the six years she was in my class) when Mr. Taylor finished looking at the student in front of Thelma, he passed her by and went on to the student behind her without a word. I was shocked. To this day, I don't know if Mr. Taylor skipped her out of distaste because she was dirty, or out of pity in the event she didn't have a tag on her sweater -- but I will never forget the look of shame and devastation on her face.

Mr. Taylor's action was a teacher's sanction of our ostrasization of her. Not even the teacher would touch her clothes, and even if Mr. Taylor did it out of pity . . . it didn't look that way . . . it simply looked like he didn't want to touch her.

That was Thelma's last year in our school system. I have seen her since on the very rare occasion over the years. She hasn't moved away from where she grew up. I don't think she knows who I am, but I know who she is."

Observations and Recommendations

Introduction

As can be seen by a review of the submissions made to the Committee with respect to discipline, attendance and dropouts, these are complex and inter-related problems. They are complex because they are as myriad as the individuals who are at risk. They are inter-related because a child who has a discipline problem is or may be the child who is not attending school and eventually may become a dropout.

The various concerns that we heard are set forth in broad sub-categories to give some kind of texture to what we heard. In brief, we heard that it is the problems the child has before he or she comes to school, the problems the child experiences at school in dealing with teachers and other students and it is problems with the curriculum that are all inter-related. We have problems with values, we have problems with discipline policies that do not set forth expectations and known consequences. There are problems in defining the rights and responsibilities of students and teachers. Teachers are under stress in the classroom and require training and support mechanisms. Parental involvement is the key to solving many of these problems. Early identification and the availability and application of resources for the benefit of the individual child are all key to what is being experienced and the possible solutions.

Central to any student difficulties is the curriculum. They cannot see that it is relevant to them. For some, the lack of relevance leads to lack of effort, lack of interest, scholastic difficulties, failure, loss of self esteem, disinterest, lack of attendance, acting out and finally dropout. For other students the curriculum problems are related to individualized learning difficulties that they have. They are not getting the help and the result is the same. Some students are not being challenged.

Discipline

General Observations

There were some specific programs in place in various schools or proposed that were felt to be effective programs for dealing with the discipline problem. Several of those will be reviewed briefly.

1. A number of programs and options are being demonstrated throughout the Province with respect to dealing with suspensions. At E.B. Chandler Junior High School in Amherst, an in-school suspension program based on the concept that requires parents and students to contract into the suspension, keeps the student in school working on his school work under the supervision of the teacher until the suspension is completed. Students who face suspension are not losing valuable school time and undergo a form of "punishment" since it is a direct consequence of their behaviour.

2. E.B. Chandler Junior High School also has a formally organized school discipline code. The code is organized in such a way that it emphasizes student ownership of misbehaviour and places the initial responsibility upon the teachers for providing quality instructional programs and implementing productive classroom management techniques. Responsibility for discipline has been shifted from the vice principal for maintaining order to every school employee in a collective fashion. The teaching staff as a whole has made a conscious effort by posting uniform classroom rules in every classroom and fully explaining to the students the expectations they have. (This should be mandatory - also teachers should be required to patrol at noon and recess and after school and before school). These expectations are put in written form and should be shared with parents.

   An integral cog in the code of conduct is an organized in-school suspension program. This "Positive Alternative to School Suspension Program" (PASS) provides the school with a realistic consequence for misbehaviour by allowing a rehabilitative rather than simply punitive measure of correction while keeping the child in school. This has reduced out of school suspension by an average of 73%. By using behaviourial counselling and positive reintegration using behaviour contracts and daily behaviour checks has improved the drop out rate dramatically. "Students are happier and fewer crisis situations (fighting, stealing, vandalism) have occurred. Teachers are happier."

Teaching teams contribute to success. This has allowed students to see fewer teachers, therefore fewer expectations to contend with, and has promoted curricular communication between teachers. In addition, two teachers in the school meet daily with students who have been identified as "at risk". These sessions focus on reading and comprehension skills as well as study skills, work organization and improved communication techniques.
Part of the guidance system must be a peer support program which helps selected students become trained in effective listening techniques.

3. Recommendations from the Cumberland Local of the NSTU:

(1) The provision of psychological guidance services at all levels in the school system.

(2) The inclusion in the PSP of strategies that deal with psychological/behaviourial difficulties.

(3) Support for staffing formulas to adequately suit optimum teaching and learning situations.

(4) That schools and boards be required by law to develop and publish a discipline policy through the combined efforts of all stakeholders focusing on student self-discipline, logical consequences to misbehaviour, the support of teacher authority to be circulated to all stakeholders.

(5) That the Department of Education and NSTU provide a discipline education team available to train teachers in all schools on "constructive disciplinary techniques" which focus on a cooperative approach to student self-discipline.

(6) Resources be available to provide parent effectiveness workshops.

(7) That the Department of Education and NSTU cooperate in a media campaign designed to enhance the professional status of teachers.

4. The NSTU undertook an extensive investigation into school discipline.

5. The teachers of the Lunenburg local of the Nova Scotia Teachers Union beginning in September, 1990, formed a study group which, after considerable research, produced a document for discussion focusing on research, models for schools, policies, protocol and procedures for establishing criteria and expectations for student behaviour and for supporting teachers by "viewing discipline as instruction in this county". The goals of the study group where to initiate a collaborative process whereby the board, teachers, parents and students became active participants in developing a school board policy. Their research shows that the same process can be applied to the school and classroom level. The Lunenburg County District School Board has received the report and indicated a willingness to develop a district wide policy which would be a model for individual schools.

The report entitled "The Student Management Study Group Report on Discipline" was authored by Peter Straubel. The report, some 60 pages in length, is perhaps the best compendium of information relating to discipline, the sources of discipline problems and the process of developing a successful discipline policy available anywhere in Nova Scotia. It is certainly the most comprehensive document of this type that the Committee has seen from any jurisdiction. It would be impossible to properly summarize the contents of that report and it is certainly recommended that educators, boards and interested parents make themselves aware of the document. However, there are some particular highlights which are worth mentioning which are paraphrased as follows:

Teachers contend with five broad types of misbehaviour. In order of seriousness from the most serious to the least serious: aggression, immorality, defiance of authority, class disruptions and goofing off.

The role of a discipline policy is first to provide a set of expectations for acceptable behaviour in a school environment. It should function as a teaching guide. It should clearly articulate responses or consequences to violations of the expectations. It should be formulated through a process of participation of all those parties affected and would give students an opportunity of experiencing democracy in practice. It is a means of providing the best learning environment that is possible, a mechanism for identifying at risk students and a means to steer them into an appropriate intervention program.

There are a number of causes of discipline problems. Out of school causes of discipline problems include the general level of violence in society, the effects of the mass media in all its forms including movies and television programs, our materialistic and self-indulgent society that at the same time is one of emotional and security depravation, lack of a secure family environment and behaviourial and personality disorders arising from dysfunctional homes or as a result of trauma. For in-school causes of discipline problems, student boredom, powerlessness, unclear limits -- "the most common cause of disciplinary problems at schools is the non-existence of clearly articulated rules and clearly articulated consequences."

In looking at the anatomy of a successful discipline policy, the first step is to mobilize the stake holders. For students, provide for a "Student Input Form", develop a Charter of Rights, carry out a student survey. For parents; a parent/student orientation, a parent in-service and a parent committee. For teachers; good collaborative management techniques, committees research groups, a teacher survey.

Through collaboration, a vision or mission statement is developed which is an overall statement of positive expectations for student behaviour. When a discipline policy has been formulated, it must be clearly articulated to all those affected by it. It must be written in succinct, unambiguous language and presented to students on different levels. It must be in written form and it must be addressed orally. A discipline policy must always be reviewed and updated. The discipline policy must be in accordance with the law.

The protocol for developing an effective discipline policy is found in Appendix C of this report and provides an outline for the establishment of a discipline policy in any given school.

6. The Halifax District School Board, through a discipline committee, developed a number of recommendations with respect to discipline as follows:

   (1) Corporal punishment should no longer be considered an acceptable form of disciplinary action in Halifax City schools.

   (2) School climate:

      (a) Schools foster the positive developments and supportive climates characterized by mutual respect and understanding.
      (b) Schools cooperatively develop written codes of expected behaviour which are communicated to students and parents.

(c) Schools apply codes and sanctions consistently on a school basis.

(3) In-service Education:

(a) Staff develop a comprehensive strategy of appropriate in-service education (focusing on effective classroom management, behaviour, social and medical problems, legal aspects).
(b) The board make use of 'short term study leaves' to provide research and study in the areas of behaviour and discipline.

(4) Parental involvement: Schools increase their efforts to involve parents in a meaningful way in the life and activities of the school.

(5) Race relations and multiculturalism: The Board develop a statement of policy on race relations and multiculturalism.

(6) Alternative to suspension:

(a) Schools be encouraged to utilize in-school suspensions and other innovated interventions in place of formal suspension whenever possible.
(b) When formal out of school suspension is utilized, school work be assigned.

(7) Special school or program placement: The Board consider the development and establishment of suspension/detention centre for students with severe behaviourial problems (on a pilot basis).

(8) Vandalism and criminal acts:

(a) The school system respond as quickly as possible in cleaning up and repairing acts of vandalism
(b) Violations to the Criminal Code be prosecuted on a consistent basis throughout the school system.

(9) Board policy statement: The Board's statement of policy and guidelines regarding school order and discipline be revised as follows: A statement recognizing the responsibility to ensure the provision of a safe, and positive school environment and endorsing support of principals and teachers in their duties to maintain proper order in schools and classrooms with a list of specific expectations.

(10) Suspension policy: The board's policy on suspension be revised followed by a statement of the suspension policy which provides inter alia that students may be suspended without prior warning for extraordinary transgressions but that under normal circumstances some prior notification is given to the student and parents that the student's behaviour is marking him for suspension; that principals retain the authority to suspend for a maximum of 5 days in certain cases; mandating that the principal immediately notify in writing and by telephone the parents, teachers and the board.

A review of the above programs of action either in place or as matters of policy give some inkling of the concern and thoughtfulness which must go into an approach to the entire discipline problem.

Rights and Responsibilities

It is important that students and teachers understand their respective rights and responsibilities.

Students, while attending school, have a duty to obey the reasonable directions of their teachers. Students have responsibilities to other students as well not to interfere with their well being and their right to an education.

In the course of our hearings, a number of teachers and others asked that the rights and responsibilities of teachers be clearly defined. It is worth noting those responsibilities.

1. Within the classroom teachers must be leaders and they must exert disciplinary influence on students. It must be of a non-corporal nature but nonetheless teachers must be in control of their classrooms and there is no room for democracy per se in the setting of rules. There is however, in the earlier grades, a great need for sensitivity and caring and understanding where young children often do not understand that what they are doing is wrong. They need to be taught. In the higher grades and as children grow older and mature and become young adults, democracy has a very important role to play in the classroom and teachers, in a sensitive fashion, learn to rely more on the judgment of students without giving up the essential control in the classroom. Parents, educators and legislators, must continue to support the teacher in the classroom as the leader. Teachers lack respect, politicians lack respect and unfortunately community leaders tend to lack respect. Respect must be both earned and taught.

2. Section 43 of the Criminal Code states: Every school teacher, parent or person standing in the place of a parent is justified in using force by way of correction toward a pupil or child, as the case may be, who is under his care, if the force does not exceed what is reasonable under the circumstances.

   Section 54(b) of the Education Act requires a teacher to maintain discipline in the classroom, specifically:

   Section 54: It is the duty of the teacher in the public school to ... (b) maintain proper order and discipline in the school or room in his charge and report to the principal or other person in charge of the school the conduct of any pupil who is persistently defiant or disobedient:

3. Appendix D sets forth relevant sections of the Education Act relating to the authority of the teacher in the classroom. On a number of occasions, it was stated that it should be clearly defined what the authority of the teacher is in the classroom so that teachers know what their rights are.

   These sections of the applicable law make it clear that it is not only the right, but it is the duty of the teacher to maintain order and discipline in the school and in the classroom. This is a pro-active role, mandated by legislation. Moreover, the specific provision of the Criminal Code puts the teacher in the same position as a parent, and is legally supportive of the right of the teacher to discipline and in appropriate circumstances, in the use of force.

Although the authority for corporal punishment or the exercise of force by a teacher towards a student is sanctioned by law, so long as it is reasonable in the circumstances, it appears plain that corporal punishment no longer has a place in Nova Scotia schools. Although a number of presenters acknowledged that it had been used in the past, that they may have used it in the past or that they may have been on the receiving end of it in the past, none endorsed it as a modern-day method of maintaining discipline in our school system. Some of the commentary in this regard might have been termed wistful but was definite. Corporal punishment was deemed to be an improper method of enforcing discipline and was disrespectful to the child, demeaning and did not teach the child anything. Moreover, in the modern context, it could be a great source of trouble from a legal point of view. Nonetheless, teachers should know where they stand in relation to this matter particularly so where, in extreme cases, a teacher might be required to intervene.

As a matter of fact, the most punitive measure to be handed out to a student is to be suspended from school. As a matter of practicality, that is sometimes the only thing that can be done for certain students. As a matter of principle, all suspensions should be in-school suspensions that discipline the student appropriately from misbehaviour but does not allow the student's education to suffer.

Most, but not all, School Boards have Board Discipline Policies. Most, but not all, School Boards keep statistics on discipline.

With respect to solutions, there are several issues worth noting initially. First, every school board in the Province has a different discipline policy. Many schools within school districts have separate discipline policies. It was a consistent theme that in order to obtain the best results from students, it was important in any discipline policy that there should be known rules and stated consequences. It is worth considering that, in this Nova Scotia society, there should be, generally speaking, a consensus on expected behaviour and expected consequences common to all students. Certainly, any behaviour or misbehaviour that would result in a student being suspended from school is of such seriousness that it should be common to all schools and school boards in the Province. Obviously, depending on the size of the school, the age level in the school and other local circumstances, it is important that there be some flexibility in local school policies. But there must be a consistent policy of application throughout the Province that reflects the values, attitudes and expected behaviour of students in all our schools. The rights and responsibilities of students and teachers should not change when you cross a county line.

> The Committee recommends that it be mandated in the Education Act that each Board develop a written discipline code for their school system, that such code include such provisions as may be mandated by the Minister of Education as being necessary on a Province-wide basis and that Boards require that all schools develop a written discipline code consistent with provincial and Board discipline policies and that all such codes be appropriately promulgated to students and parents.
>
> It is suggested that the Department of Education in consultation with the NSSBA and NSTU develop broad discipline policies for provincial application so as to ensure that there be a common expectation with respect to certain aspects of student behaviour ie. vandalism, violence, use of drugs in school or other such areas of misbehaviour that could possibly attract out of school suspensions. With respect to lesser forms of misbehaviour, it is essential that schools be permitted, within the context of provincial and Board policies, to develop appropriate approaches.
>
> There must be some uniformity with respect to what "offenses" will result in a student, who has the right to attend school, being suspended. For example, is smoking an offence for which students should be suspended and should it be of Province-wide application or left up to the individual Boards?
>
> The Key to Discipline: Policies that include provision of a range of support services -- in-school suspension programs, training means for psychologists, guidance counsellors, resource teachers and professional development needs of classroom teachers.

The issues touching on the curriculum will be dealt with elsewhere in this report. However, it is relevant to mention at this point the overwhelming call for inter-agency cooperation, communication and input into the problems of individual students identified in the school system. The Committee notes that some districts in the Province already communicate well and have a good relationship with the Departments of Health and Community Services.

Attendance

General Observations

Again, a view of the submissions above will indicate that the problem regarding attendance is multifaceted and complex. It is related to a number of other issues.

The law requires that all students attend school and also requires that parents and guardians ensure that they do attend school. There is legitimate concern that some parents and guardians may not understand the importance of their child's education and their obligations under the law. Educating parents may be an important part of the solution in this regard. Appropriate penalties in appropriate cases is an essential part of the solution as well. The Education Act should be amended pursuant to the recommendations below to ensure the obligations of parents and guardians are brought home to them.

Schools should be mandatory for all students but there are a number of cases where a pupil should be exempted from attendance at school and where a parent or guardian should not be liable to penalty. There are a number of appropriate exemptions that would include absence by reason of illness or appropriate medical reason, by reason of an alternate and approved course of education, or appropriate Holy days and others. One such exemption (contained in the Saskatchewan Act) recognizes the right of a pupil to accompany a parent or guardian on extended travel outside the school district where appropriate arrangements have been made.

A complete review of exemptions should be conducted by the Department of Education in consultation with the NSTU and the NSSBA to provide for a comprehensive listing of exemptions which should be set forth in legislation or regulations. The duty to attend school must be appropriately balanced with the recognition of appropriate exemptions.

With respect to non-attendance, the regulations should reflect the right of parents to take their children out of school for short intervals. The regulations should note any child absent from school without a medical certificate or prior notification from parents respecting the absence will be considered as absent without excuse.

Attached hereto as Appendix E is an excerpt from the Saskatchewan Education Act in this regard.

Although the Committee heard a great deal about the difficulties with attendance and the magnitude of the problem, no where were statistics made available to the Committee indicating the extent of this problem. Such statistics are or should be available, must be compiled and must be analyzed to determine the extent of the problem and what the problem actually is. The fact is that many parents take their children out of school not merely when they are ill but also for vacation or other reasons which parents feel are important in the context of their private family life. As long as it does not interfere in the long term with the child's schooling, that is a legitimate absence from school (for short periods). It is a different matter entirely if a child is absent without his parent's permission or if the parent gives permission or condones in the child's absence in any fashion that would impair the child's learning. Somehow, an attendance policy must be developed which ensures the mandatory nature of public school education is recognized and enforced where necessary without being so unduly rigid as to interfere with the legitimate rights of parents in their role as the primary educators of their children.

The Department of Education should conduct a provincial study of student absenteeism to determine the nature and extent of the problem and identify appropriate strategies. We should review provisions of the Alberta School Act.

Not all Boards have a policy or statement on attendance -- only 7 of 13 Boards reporting keep statistics on attendance. The Committee recommends that school boards ensure that all schools obey the law with respect to recording attendances on a daily basis but that boards be required to maintain records and transmit those records to the Department of Education.

The new Childrens' Services Act does not provide for the taking of a child into care in the event that the child is persistently missing school and no alternative education is being provided to the child.

It is recognized elsewhere in this report the paramount right of the parent to determine the appropriate education for their child and that is already noted as an appropriate exception to the mandatory attendance rule.

The Committee feels that the Family Court, as a tool to enforce attendance at school, may have outlived its usefulness. Although the Family Court does have a remedial family focus, the court system is viewed as punitive and coercive. A student who absolutely does not wish to be in school and has to be forced to be there may not be receiving much education in any event. Although appropriate coercion mandated by law is useful and required in certain circumstances, the focus for dealing with a particular student's attendance problem must focus on the personal difficulties and attitudes of that student and, within limits, how the system meets the legitimate expectations of each student. Although there may be a role for the courts in limited circumstances where it is necessary to locate a child absent from school, it is the view of the Committee that the work of encouraging school attendance should be undertaken by an agency other than the courts with a particular focus on the welfare of the child in a non-punitive fashion.

The provisions of the Alberta School Act put the matter of attendance in the hands of the Attendance Board. Perhaps we should look at a similar model using an Attendance Board drawn from members of the School Board who would hear each child's case so that the matter is not dealt with as a judicial inquiry or in that type of forum. Children who do not attend school are not criminals and there is nothing intrinsically wrong with not attending school. It is the child who is suffering. But there may be good reasons why it is happening. It would be useful to know how Alberta has fared with their Attendance Board but certainly there is more direction contained in their legislation than we currently have. A referral to the Attendance Board should only occur in the more extreme cases where schools are not able to solve the problem themselves. Perhaps the Attendance Boards should be comprised of a member of the School Board, a member of staff, a member of the trustee or such other parental organization as may be designated by the School Board in the district.

The NSTU brief lists a number of principles related to attendance including the important concept that there is no single cause for non-attendance nor is there a single solution. Appropriate intervention strategies must focus on the individual student. It is essential to keep accurate attendance records. There must be an immediate planned follow-up to individual student absences. Attendance problems should be identified as early as possible to permit immediate intervention. There must be clarity and consistency in the establishment and enforcement of school attendance policies. Parents in the community at large need to be informed, involved in and supportive of the school's attendance policy and expectations. Key to attendance is the role played by the school and what happens within the school walls. Education must be perceived by students as positive, useful and the only real option. In the final analysis and in extreme cases there may be a role for the Family Court.

The Department of Health and Fitness Report "A Comprehensive Service Plan for Children and Adolescents" respecting education makes the point well that the school system is an ideal location for identification of students with cognitive, emotional and behaviourial difficulties. The school system is an ideal location for programs related to the promotion of wellness, prevention of illness and the early identification and intervention with respect to a number of difficulties.

Dropout Rate

General Observations

In looking at the curriculum issue, there is a linkage connecting relevance of the school program with interest levels with higher attendance and with fewer dropouts.

It should be noted as well with respect to curriculum that a compulsory careers and life management course starting in late elementary or junior high should be either a separate course or an integral part of the PDR program.

The Department of Education should establish a Committee that will monitor all of the programs taking place in Nova Scotia pursuant to the federal stay in school initiatives as well as other programs such as the WOW program to analyze, assess, correlate the information, to make that information available to all Boards in the Province for comparative and analytical purposes and then to develop a comprehensive Province-wide strategy regarding student dropouts that will combine the best of all those programs with sufficient flexibility for Boards and schools to adopt those choices or options which best suit local needs and identified difficulties.

The Council on Higher Education explored the issue of a Nova Scotia student information system recommending the principle of a common student identifier for our university students. We should pursue this concept of a common student identifier starting in grade primary that would be used for our elementary and secondary school system as well as our post secondary school system. This would be a key element from the point of view of tracking students.

The Cumberland County Stay in School Initiative is a collaborative program involving four partners: the Cumberland District School Board, the Cumberland Futures Committee, the Cumberland Development Authority and Canada Employment and Immigration. Since February, 1991, some 36 projects have been approved costing approximately $108,000.00. Some programs have already proven to be highly successful.

The dropout problem is complex and multifaceted. It will require a multifaceted approach. It will require communication, information, funding, community involvement, parental involvement, changes in curriculum and attitudes.

The Stay In School program initiated by the Government of Canada has three components: (1) The expansion of the existing labour market programs and services and development of new ones; (2) The mobilization of stakeholders in business, labour and education to become actively involved in finding solutions and; (3) Increasing public awareness through information and communication.

Local inter-agency groups have been used on occasion in different parts of the Province with generally very good success.

Student Dropout Rate

One of the difficulties experienced by the Committee and no doubt others in dealing with the student dropout rate is the inaccuracy of statistics and lack of measurement. Estimates of the dropout rate, both generally and looking at local boards, varied widely depending on who was quoted and the nature of the information provided. It was evident that there was more than one definition of a dropout in vogue.

It became evident that in order to deal properly with the student dropout problem, the nature and magnitude of the problem had to be known. It is not known at present. To determine the magnitude of the problem it must be measured. To measure it properly a definition of a dropout must be settled on and used throughout the system. In addition, an appropriate tracking system must be in place to match the definition with measurable statistics that have some meaning. With such statistics in place, it will make it easier to look for specific solutions to specific types of problems identified through appropriate tracking.

In this regard, the Province of New Brunswick has instituted a pupil accounting hand book in order to provide detailed student information "by district, by school, by grade and by sex on a monthly basis". The information is of value to "schools, school districts and the Department of Education". "Detailed student data will allow schools and school districts to develop strategies and options at the student level to intervene more effectively .... At the district level it will be possible to compare individual schools to the district as a whole". Provincially, it will be possible to study district information in relation to the whole Province. To quote from that report: "emerging research indicates that many students will leave school, simply drift away but would return in vast. These students who return need to be presented with an educational experience that is different in some way than the one which they left."

This report, over 50 pages in length, details monthly data requirements, outlines forms and reporting procedures for all schools in New Brunswick to provide the necessary information to track student withdrawals, transfers and attendance. The system is utilized by all schools whether they are using a data base or not. The Province of New Brunswick uses a data base called "Student Base".

The Committee refers this particular accounting handbook to the Department of Education together with the concept of a data base for attendance and tracking purposes as models for an appropriate tracking system.

In dealing with the dropout problem, we need to address the issues of why children leave school and what we have to do to prevent it.

We must consider that the system of curriculum and instruction is often insensitive to some learners in the system. Success in some systems can often be measured by the extent to which they offer a differentiated curriculum throughout the schooling process. We therefore must question the philosophy of a "single track system". The report of the task force on "alternative programs" should be distributed and a public debate on this issue begin.

The average teacher cannot accommodate the range of learner characteristics found within a single classroom. A wide range of services needs to be available and for many children leaving school early, such services have not been available. Government needs to maintain and extend funding to provide these additional resources.

We need to target children at upper elementary and junior high.

General attitudes about schools: Schools should be happy and secure places for children. They should be places where they learn. They should be intellectually challenged and they should be learning discipline: self discipline, the discipline of study and the discipline of conformity to acceptable social, interactive requirements.

Statistics

CEIC estimates that 100,000 young people will leave high school this year before graduating. In a comparison of 17 year olds, only 72% of 17 year olds in Canada are in school compared to 94% in Japan and 87% in the U.S.A.

Appendix F Pupil Withdrawals (1990-91) sets forth the pupil withdrawal (dropout) rate Board by Board across the Province. It indicates both by number and percentages for junior high school (male and female) and senior high school (male and female) with the total rate for each Board ranging from a low of 2.92% for Inverness District School Board to a high of 9.55% for the Halifax City School Board. The average rate for the Province for that year is 6.25% which noted in comparison with the previous two years indicates a downward trend in this statistic.

There are several definitions of a dropout. Several School Boards are tracking dropouts in a fashion similar to the New Brunswick model.

Part of the difficulty in describing or providing accurate numbers of dropouts is in defining what you mean by a dropout.

Some areas of the Province are well ahead in the involvement of other agencies in a more formalized way within the schools and the districts. It is vital in the process of developing appropriate models for individualized assistance that Boards throughout the Province share their initiatives with other Boards. It should be done through formalized reporting to the Department of Education and the NSSBA.

A move "back to the basics" is not a move back. Self-esteem will follow success and if the types of sensitivities, with respect to discipline and the other values that exist in our society as reflected by the many presentations to the Committee, are encouraged and enhanced, then schools will be happier, more secure and more fulfilling places in which to live and learn for all students. To be honest, some students will fall through the cracks, but some who do may well return. They will have to return in some fashion or other and we must be ready to deal with them too.

The Committee recommends:

1. **That the Department of Education, in consultation with the NSTU, and the NSSBA, prepare a Province-wide discipline policy to ensure a degree of uniformity both with respect to the authority of teachers and expectations of students; specifying those types of behaviour that can attract out of class and out of school suspensions so that no student in the Province faces a suspension from class or school for an offence not common to the Province.**

2. **That there be a recognition that discipline problems, attendance problems and the student drop out rate are all inter-related in many instances and in a number of ways.**

3. **That particular initiatives be embarked upon related directly to the services and education provided to 'at risk' students and in particular;**

    (1) Each school board should designate a person on staff to coordinate the delivery of services required by students who cannot receive such services within the school system including necessary mental health services, public health services, community services, family and children services and other services offered by government or community agencies.

(2) That curriculum changes occur throughout the entire school system but particularly in the junior high school and senior high to provide for appropriate alternative programming for those students identified as requiring a partial non-academic programming in order for schooling to remain relevant (without compromising essential literacy and numeracy and science skills); a dedicated and mandated commitment of resource teachers particularly at the junior high level, that will be mandated by specified levels of school population; that guidance counsellors be introduced to the elementary school system with appropriate qualifications for the identification of social, cultural and economic needs of students, provided however, that if the provision of guidance councillors are not otherwise available, the principals of all elementary schools in the Province should designate one or more teachers within his or her staff to receive in-service training in guidance counselling.

(3) That career options counselling begin at junior high school as an integral part of cross curriculum teaching with specified and dedicated portions of the PDR and similar programming in each year of schooling from grade seven through twelve devoted to an enlightened and modern exposition of career options in all fields of endeavour.

(4) That special resources be mandated and applied for special education needs in the entire school system but with particular emphasis on school based identification and assessment in the early elementary years designed to ensure that no students are missed in the assessment, in-service training of all teachers in the school system from administrators through all specialists including classroom teachers (with the first emphasis to be on the classroom teachers) but beginning with elementary classroom teachers in special education training and awareness -- that such courses be provided by the Department of Education but that all teachers be required to take the program.

(5) That severely learning disabled students have the opportunity where appropriate to be able to access special learning institutions.

4. That each school board in the Province be required to approve a discipline policy embodied in a bylaw and having district-wide application which bylaw should not be inconsistent with the provincial discipline policy and which should provide for:

(1) Those areas where schools may make rules and regulations peculiar to that particular school.

(2) The provision for in-school suspensions.

(3) The inputting to school discipline policies by student representatives in the junior high schools and senior high schools.

(4) The requirement that all discipline policies effective in a school district be written, be provided to all students and their parents and such rules and policies stipulate expected behaviour and consequences for misbehaviour.

5. That with respect to attendance problems, that the Department of Education mandate a Province-wide assessment of attendance rates of all grades in the Province through a common reporting mechanism so that a Province-wide assessment of the attendance problem can be obtained and analyzed following which and in consultation with the NSTU and NSSBA, a Province-wide attendance policy with stipulated procedures, reporting requirements, appropriate powers, and follow up be instituted on a Province-wide basis which should take into account the following considerations:

    (1) That attendance should be maintained in each home room class and each speciality or subject class by home room attendance or subject attendance and that same be reported forthwith to the principal of the school.

    (2) That all absences without excuse or prior notification be followed up promptly with the parent or guardian by the school.

    (3) That teachers be required to report to principals a properly documented attendance record for any student who the teacher identifies as 'at risk' or who is guilty of chronic absenteeism without appropriate medical or other excuse.

    (4) That appropriate amendments be made to the Education Act to remove all reference to Family Court in procedures relative to Family Court from the Education Act as they relate to attendance or truancy.

(5) That an Attendance Board(s) be constituted for each school district in the Province who will in all cases of chronic absenteeism convene appropriate hearings in an impartial and non-judgmental fashion for the purpose of meeting with teachers, principals or other specialists in the school system as well as the student and the student's parent or guardian for the purpose of dealing with chronic absenteeism. The Act should be amended to provide the board with appropriate powers to:

(a) Devise a program of instruction or to otherwise assist a student in dealing with any recognized or perceived problems that the student may be having with the school system, with his peers or with any aspect of his/her life that is interfering with a student's proper attendance at school, with the specific provisions that the Attendance Board would in the first instance be intended as a conflict resolution, proactive and constructive body designed to assist the student and;

(b) Provide that in the event the needs of the particular student cannot be addressed in the school system, permit the Attendance Board to allocate any portion of that sum of money paid by the Province of Nova Scotia to the district school board for the education of that student to provide alternative assistance with the education of the student.

(c) To make such other recommendations as the board sees fit.

(6) That the assessment of attendance and absentee patterns be carried out in the 1992-1993 school year with specific policies to be developed and implemented in time for the September, 1993 school commencement.

6. That with respect to the drop out problem, that the Province institute a Province-wide study on a board by board basis of the extent of the drop out problem, which study shall include all particulars relevant to determining causes and effects on individual students. In conjunction with such a study, based on recent statistics and on a compilation of statistics obtained on a common basis in the 1992-1993 school year, the Province to institute a review of all stay-in-school initiatives and other programs instituted within recent years in response to the school drop out problem with a view to analyzing, assessing and making specific recommendations with respect to the appropriateness of certain programming and their Province-wide implementation board by board. Such a study should be carried out by the Department of Education, NSTU and NSSBA.

The Committee recommends that school boards be required to publish statistics on dropout rates, or alternatively the Department of Education should publish and make public on a board by board basis the Provincial dropout rate, so that the public is aware of the magnitude of the problem and what is occurring year by year, Province-wide and in their districts.

The Committee recommends that not only should the Education Act mandate that all students between the appropriate ages be required to attend school, but that all exemptions from attendance be specifically set forth in the Act, as much as possible, and to include absence by reason of illness or any other medical excuse and the provision of at-home schooling or other education as approved by the Minister.

Section IV

PAYMENT OF SCHOOL BOARD MEMBERS

Submissions

1. Who Should Decide

Payment of School Board members should be determined by local municipal councils.

A provincial committee representative of School Boards and governments should determine remuneration for School Board members. Remuneration should not differ widely across the Province.

School Board members and municipal councillors are elected, they both represent the same public. They are elected by the same people on the same day. They are held accountable. But School Board members are more vulnerable than councillors because they do not have an independent source of financing. Board members are not paid in line with remuneration paid to municipal councillors and this is not fair. A provincial formula must be developed whereby remuneration paid to Board members is standardized and the decision to pay and the amount to be paid is no longer the responsibility of the members themselves. There should be an independent commission, set stipends and a system of review in place.

1.1 Standard Rate

There should be a standard annual stipend for School Board members across the Province of Nova Scotia. The current system is unfair.

The current range of payments of school board members across the Province is from $2,000-$12,000. An independent body should establish a more appropriate range on the basis of equity and consistency of role. Local Boards could establish their own rate within the established range.

The Education Act should state the range of remuneration. There should not be a broad discrepancy across the Province in school board members payments.

The Nova Scotia School Boards Association recommends that school board members across the Province be paid a uniform honorarium and that honorarium be set by an independent body. (This was not a unanimous recommendation).

There should be a standardized rate of pay for school board members.

School Board members should receive a standard rate across the Province. The School Board members are underpaid at present.

1.2 Variable Rate

School Board members should be paid and governments should establish a range of stipends to reflect the time and responsibility of Board members.

A provincial scale of payment should be adopted for School Board member payments. Student enrolment should be one factor in the determination.

Work loads vary greatly between school boards and should be considered as well as the size of the district in the amount paid to school board members per year.

School Board members should be paid based on the number of hours they contribute. Their time should be accountable and documented.

1.3 Annual Fee

School Board members should be paid an annual amount rather than by the meeting.

School Board members should be paid a flat annual rate throughout the Province similar to that of MLAs. In addition, there should be a statutory provision permitting School Board members to take twelve days off from their work per year to attend regular monthly meetings of the School Board.

2.0 A Board's Responsibility

School Board members should set their own pay.

Individual Boards should decide what the payment of School Board members should be at a public meeting with a recorded vote.

School Boards should determine the rate of remuneration within parameters set by the government. There should be public reporting of salaries and expenses of Board members. There should be public reporting of salaries and expenses of all employees of the Board based on job classification.

3.0 No Pay

Many citizens use city, town, municipal government, and School Board memberships to supplement their incomes. Pay them a taxable salary of $100 per month plus expenses and they can meet as often as they want.

Payment of school board members should be left to individual boards.

Payment of School Board members should be kept to a very low scale to ensure that only dedicated people serve.

School Board members should receive no remuneration of any kind. Meeting stipends multiply the number of meetings. School Board members should receive reimbursement for expenses only.

4.0 Other Comments

Attendance by School Board members at meetings should be a matter of public record.

In dealing with payment of school board members, there are various issues to be examined including the desire for annual rates to eliminate the unnecessary calling of meetings and payment of meeting rates, the payment of meeting rates to accurately reflect the time commitment given by individual members, the provision of rates through meeting rates or otherwise to reflect the unequal time spent by different members and the concept of penalty for missed meetings.

There should be no change to the present structure of payment for school board members.

There are times when, with the various pressures that exist, budget times, layoff of teachers, etc., the school board member's job becomes almost a full time job.

School board members have extensive responsibilities and can spend a great deal of time carrying out their duties.

School board members spend as much time on board matters as municipal counsellors do attending to their duties, yet school board members are paid at a much lower rate.

There is wide variation of payment from board to board across the Province.

Legislation providing for time off from work for board members attending to school board business should be considered.

Observations and Recommendations

The review of information provided by those school boards who were surveyed and responded to the survey indicate that payment of school board members ranges from a low of $1,672 to a high of $12,117 currently. Salaries for school board chairs range from $4,400 to $20,500.

There is a very serious issue of direction and accountability vis a vis the relationship of school board members and administration. It must be clearly understood by everyone involved in the education system that the school board is in charge of the education system in each school district. The administration is completely answerable and accountable to them in every respect. It is vitally important that board members not only be concerned about their obligation to allocate fiscal resources but also their responsibility to appropriately allocate human resources. It is the fundamental responsibility of the school board to ensure that the educational opportunities of each child in that district are what they should be in accordance with the Education Act, regulations and policies laid down by the Department of Education. It is the responsibility of each school board to give direction to their employees, be they administration, teaching staff or others in both general or specific ways to ensure that their mandate is being carried out. No one should doubt the level and seriousness of the responsibility of school board members.

It is specifically recommended that the NSSBA engage in a review of manuals, policies and briefing notes that it provides to its membership to ensure that board members are sufficiently aware and can be made sufficiently aware of their responsibilities in this respect. There is a direct chain of accountability which makes board members accountable to the public, including the tax payer and especially the parents of children. Teachers, administration staff and all other employees of the board are also accountable to the public, the taxpayer, the parents and the students. But those employees will be more directly accountable to the board whom they work for. Board members must be involved in informing themselves as to education standards, requirements, policies, and the delivery of education within their district in all its particulars as well as the outcomes of education within their district. If such outcomes do not meet provincial standards or are deficient in any fashion, then school boards must ensure accountability at all levels in the system.

The recommendations with respect to payment of school board members are intended to reflect this increased responsibility of board members in a more accountable education system.

The Committee recommends:

1. **School board members be paid on the following basis:**

    (1) **School board members receive an annual stipend only.**

    (2) **School boards will not set their own annual stipend.**

    (3) **That the Minister of Education, in consultation with the NSSBA, appoint an independent commission to review school board members salaries and to fix the annual stipend provided for herein effective November 1, 1992 subject to the following guidelines:**

        (a) **That school board members' positions are not intended to be full time.**

        (b) **That there is a component of volunteerism in the position.**

        (c) **That there be a recognition that the position is time consuming, responsible and a proper performance of duties can have a deleterious effect upon a member's private affairs.**

(d) That there be a desire for uniformity across the Province as much as possible but a recognition that differences in board size and geography are relevant.

(e) There be an additional annual stipend for Chair of school boards and an annual stipend for Vice-Chair of school boards.

2. That the following expenses actually incurred be payable to members:

    (1) Mileage at the provincial rate from time to time then existing.

    (2) Reasonable receiptable expenses for local expenses incurred.

    (3) All expenses incurred in attending meetings, conferences, workshops, etc. outside of the school district including any necessary overnight accommodations, meals and auxiliary expenses that are approved by the Board from time to time.

3. That there be no meeting fees or other salaries, honorarium or expenses except as provided for herein.

4. That the above recommendations be incorporated in the Schools Act or Regulations made pursuant thereto.

5. That the Education Act contain within the bylaw making powers of School Boards the power to pass a bylaw dealing with procedural aspects of school board member's salaries and expenses not inconsistent with the provisions of the Act and Regulations as provided for above.

6. That prior to the next school board elections, and prior to every election thereafter, the independent commission review school board members salaries subject to the foregoing guidelines.

Section V

PUBLIC REPORTING OF SALARIES AND EXPENSES OF SCHOOL BOARD MEMBERS AND EMPLOYEES

Submissions

1. **Not Necessary**

A number of presenters suggested that the salaries and expenses of Board members and employees is currently public information and is readily available upon request. Some others suggested that this is not the case and specifically that there is no access to senior administration official salaries or expenses as these are deemed private and confidential.

There should be no change to the current law regarding public reporting of salaries and expenses of school board members and employees.

The public already has ready access to information pertaining to the expenditure of public funds.

2. **In Favour**

All salaries and expenses of School Board members and employees should be made public. All other information should remain private and confidential.

The standard for reporting of salaries and expenses should be the same standard applied to municipal units and provincial government boards and agencies. There should be public access to information.

There should be public reporting of salaries and expenses of school board members and employees, in addition, the ratio of teachers to pupils and teachers to no teaching positions.

There should be public reporting of salaries for all School Board members and employees. Public reporting is necessary in order to maintain accountability.

Salaries and expenses should be a matter of public record and available to ratepayers who wish to examine them.

The taxpayer should be informed of the salary and expenses of individual Board members.

The public has the right to know the salaries and expenses of public servants. It should be available to the media.

If remuneration and/or expenses are paid to Board members they should be widely publicized annually in local media.

3. Against

To cause school boards to publish the salaries and expenses of school board members and employees would be an unnecessary cost for the school board.

The public has the right to ask for and receive certain types of information including categories of salaries. Neither salaries and expenses of employees or members need be published in the paper or over the radio stations. With respect to any request for information, the Board should always be in a position to deny the information. There should be the right of appeal to the Minister and the Minister's decision and the provision of that information should be final. Each Board should develop a policy on the release of Board generated information.

3.1 Perhaps

Because School Board members are elected, their salaries and expenses should be public knowledge. Although it may not be appropriate to publish names and salaries of teachers and support staff, the wage scale of teacher classifications and the number of teachers in each classification at each school should be made public.

Salary and expense information of School Board members and employees should be available for public review but without the expense of formal publication on a regular basis.

The public has the right to request information regarding salary of employees. However such information should not be published automatically.

Salary ranges for each classification of employee should be made public.

4. Other Comments

Public reporting of salaries is too trivial an item to be included in this resolution. Have school boards decide these matters.

There is a public right to know but to publish all information that should be public would be unnecessary and expensive.

There is a negative public attitude towards teacher salaries, benefits and holidays. Good teachers deserve good salaries but many consider teachers to be overpaid, under worked and unaccountable. This situation must be addressed because of the fact that parents cooperate with teachers in matters of discipline and attendance.

Any contemplated change in public reporting of salaries and expenses of School Board members and employees should be directed to all sectors of government and all public employees without exclusion.

Public reporting of salaries is very important.

Observations and Recommendations

The Committee heard many representations on this particular issue.

Many presenters felt that there should be public reporting through the media on an annual basis or more often of all salary and expenses of board members and employees. Many presenters felt that public disclosure should only apply to board members. A number of presenters felt that the actual salaries of employees should not be disclosed but rather salary ranges, depending on their license in the case of teachers, or job classification for other employees. Other presenters felt that there should be no further requirements to disclose since this information was already available to any member of the public who really wanted it.

Others felt that the information should only be available upon request on the basis that it be for a reasonable purpose.

The Committee heard a consistent theme and that was that public reporting should be consistent for all public servants, for all those paid by the taxpayer.

Section 33(10) the Education Act stipulates that all payroll records shall be open to the inspection of any person without fee at all reasonable times.

It is noteworthy that Section 33(10) is the law of the land yet it is evident that the payroll records of school boards have not always been open to the inspection of any person without fee at all reasonable times.

It is a finding of the Committee that the availability of information in regard to salaries and expenses paid to public employees employed by school boards or school board members is in some parts of the Province readily available and in other parts of the Province not available at all to members of the public.

It is important that there be a consistency across the Province with respect to this issue. It is important as well that everyone recognize that public employees work for the public and are paid by the taxpayer. As a matter of principle, those who pay public employees have every right to know what it is they are being paid. This principle is given reality to in the disclosure through the Supplement to the Public Accounts for the Province of Nova Scotia of the salaries and expenses of all civil servants, as well as the elected members of the legislature. This principle is one that should be uniform throughout the Province.

The Committee recommends:

1. **That the appropriate legislation be amended to provide that the salaries and expenses of School Board members and all employees be made available to the public.**

2. **That such information be contained in a document to be produced by each school board once a year within two months of the completion of each fiscal year.**

3. **That the reporting requirements be set forth in guidelines to be established by regulations which should provide that the reporting requirements indicate the name, all income and all expenses paid to every individual employed by the Board in any capacity or for any period of time throughout the year for which the report is filed.**

4. **That such information be filed with the Department of Education, Government Information Services for the Province of Nova Scotia and provided free of charge to anyone who requests it, provided however, that the public reporting required herein be no more stringent with respect to the reporting of salaries than that required pursuant to the reporting requirements of the Province of Nova Scotia in the Supplementary to the Public Accounts.**

It is unnecessary to mandate that such information be published in the local media. As public information, it will be available to the media or anyone else who wishes to publish it.

Some concern was expressed that reporting requirements would be expensive and time consuming. This is information which every school board has or ought to have readily at its disposal. Moreover, printing this information in a form readily understandable to all concerned would be a benefit not only to the public but to School Board members, trustees, P.T.A.'s etc.

The Committee also recommends that similar legislation and/or regulatory changes be made to the Municipal Act and Towns Act and the City Charters to require the public reporting in a similar fashion of the salaries and expenses of councillors and employees of all municipal units in the province in a similar fashion.

Section VI

THE PROVISION OF COMMUNITY FACILITIES IN CONNECTION WITH SCHOOLS

Submissions

1. Should Be Available

School facilities should be available free of charge or at minimal cost. We must allow the widest possible access to our public education institutions.

We should encourage the use of schools for a variety of community purposes. Schools could become the focus of inter-agency cooperation. Students would not have to go outside the school to access community resources.

The year round use of school facilities including the buildings and playing fields should be supported.

The taxpayers own the school and should have the right to use the facility.

The cost to run school facilities can be very expensive. There is some difficulty in approaching school boards about using facilities. There should be a better process in place for residents to be able to access these facilities.

2. In Cooperation With Municipalities

There is great advantage in having community libraries and public recreation facilities such as swimming pools attached to educational facilities in the community. In the consideration of design, it is worthwhile to consider separate entrances and exits for the public. School Districts should not have to bear the additional operating costs.

In the case of new education/community facilities, cost sharing arrangements for annual operations and maintenance cost should be clearly established before construction begins.

School facilities should be utilized by the community. There are costs associated with this. It would seem logical that the Department of Sport and Recreation would share in such additional costs incurred by School Boards.

There should be provision for community facilities in connection with schools.

The after hours use of school facilities is an essential component of community activities particularly in rural Nova Scotia.

Provincial funding for maintenance and capital improvements should be made available from other departments of government. To avoid unnecessary duplication of services in a community, new construction or renovations should reflect Board and community needs.

Recreation, physical and mental health facilities should be built in association with schools. The schools should have the right to exercise responsibility over the facilities and the recovery of costs. We must strive for maximum integration of community and education services.

The possibility of school libraries becoming a location for regional libraries should be carefully examined.

Should community facilities be made available to schools under the same terms and conditions that school facilities are made available to the community?

The concept of the community school cannot be successful unless the community and the school come together with advantages for both far beyond the use of school facilities.

3. A Matter For The Boards

Use of community schools is an issue unique to each community.

Let Board policy determine the availability and charge for such use.

4. Cost Recovery

Schools are often the only facility available to community groups in some rural areas. Such facilities should be available on a rental basis or a cost recovery basis.

In several parts of the Province, educational facilities both indoor and outdoor have been provided free of charge to groups, other than political and profit groups, who have been expected to pay. Some groups have had to provide funding for security and janitorial services.

A wide variety of groups and organizations use schools in the system without charge - this is a motherhood statement. The cost of providing such facilities has to be carefully looked at.

Expenses that directly relate to the use of school facilities by other groups should be charged back to those users.

5. Education Goals

All use of the school property should be consistent with education goals.

Joint Community/School Board committees could be formed to explore the best possible use of community facilities as well as the issue of user pay cost. The first priority for school facilities must be education.

Community facilities should be available for school use and school facilities should be available for community use. School should first be used for the public education of students.

6. Provincial Responsibilities

Although there is merit in the use of schools for community facilities, it must be made plain what level of government is responsible for capital funding. There must not be any down loading.

The concept of community facilities contained in the Bill is appropriate but there must be appropriate guidelines regarding capital construction of community facilities square foot requirements and there must be appropriate agreements between the school board and municipality subject to provincial guidelines before anything is done.

The Province should discontinue building or renovating schools or other community buildings in isolation. We must allocate our resources on multi-use facilities for school purposes, recreational facilities and social service agencies.

7. Other Considerations

Serious consideration should be given to utilization of surplus schools for additional educational purposes.

Custodial staff have too much control over the use of schools. There must be cost recovery for the use of school facilities for such things as lighting, heat, janitorial services, equipment replacement and capital construction/renovation costs on a pro rate basis.

When community members want to effect repairs to their schools, the "union" and School Board will not allow them to do so.

Community use of school facilities is sometimes hampered by lack of co-operation by custodial staff. Custodial staff often have much greater control over events at school than they should have.

There should be greater use of more local resource facilities as well as resource people. Retired teachers or other individuals who are prepared to volunteer their time, can act as tutors.

Existing schools are grossly under utilized. In today's economy existing facilities should be fully utilized before consideration is given to constructing any new facilities. Schools should be utilized on a twelve month basis.

Schools are significant institutions in a community and should not be single purpose facilities.

Observations and Recommendations

The Committee was told repeatedly and nearly unanimously that provision must be made for community facilities in connection with schools. The approach taken before the Committee was multifaceted.

Schools are public buildings. They are bought, paid for and maintained by the taxpayer. Their primary purpose must be education but their use as facilities is limited by the school day, the school year and generally to daylight hours for school purposes. They are valuable resources that should be utilized as much as possible. In smaller communities, they may be the only resource of that type available to the public for community use.

Municipality of the District of Chester and the Lunenburg County District School Board entered into an Agreement on November 6, 1990 regarding a high school facility. The agreement provides that the board will own and operate the high school facility but that the municipality will contribute certain specified assistance including public locker space in the gym area, office space, arts and craft room, cafeteria, soccer field, public access to washrooms, track and field and ball field, some items being paid for by the Municipality but all such items being subject to joint use. The agreement provides for a community use committee which would meet for the purposes of setting policies and make recommendations to their principals regarding joint usage. The agreement provides for a Use Agreement for community or other groups wanting to use the facilities. The Agreement sets out basic rules for use, references liabilities and responsibility for damage, the need and use of custodial services. For purposes of user charges, the board is to calculate the cost of heat, lights and similar operating expenses to establish an estimate of these costs and use those as a basis for user fees.

It is noteworthy that this type of arrangement is not intended to encourage municipal support for school construction but rather the provision of facilities that might otherwise not be available, ie. a pool or theatre.

A number of schools have developed policy statements regarding the use of school facilities. These policies may differ from Board to Board but generally recognize the importance of community access to school facilities subject to the primary use of those facilities for school children.

Most School Boards have a policy on community school usage, as well as some sort of fee structure in place. Less than half of the Boards reporting kept statistics on vandalism.

Community use of schools should be mandated by the Education Act and Regulations to encourage the use of school facilities by communities and community group, non-profit organizations and political organizations on an equal basis and as prior users after the needs of the school board and education facility have been met. Such uses should be on a non-profit basis but should provide for the recovery of expenses again on an equal basis. Flexibility in contracts with school employees must mandate and ensure that custodial staff do not determine the use of school facilities by the public. Organizations should be provided every opportunity to tidy up after their use to keep costs down and to reinforce respect for the facility. The Education Act should permit Boards to make bylaws, not inconsistent with these principles, setting forth a written policy on the use of all schools in the district. The policy should be the same district wide and should have a certain level of consistency Province-wide. The Principal of the school should be charged with the administrative control of the use of the facilities although special arrangements for use of the facilities on a school by school basis, not inconsistent with district wide policy should be carried out in consultation with Trustees or School Councils, P.T.A.s or Home and School Associations as the case may be.

The Committee recommends:

1. **There be provision for community facilities in connection with schools in accordance with the following:**

    (1) **That the Department of Education, in consultation with the NSSBA, determine Province-wide minimum guidelines to be mandated by legislation providing for:**

        (a) **the use of the community facilities on a cost recovery basis only by all non-profit charitable organizations, political organizations, and community groups.**

        (b) **provision for profitable recovery for business or other organizations.**

        (c) **the entering into of contracts between school boards and municipal units providing for the payment of the capital cost of a community facility as well as the cost of maintaining and operating such facilities in connection with schools.**

(2) That there be by-law making powers for each school board which shall meet the minimum provisions contained in the guidelines and providing for:

  (a) the entering into of contracts with municipal units,

  (b) the allocations of administrative control over school facilities

  (c) a district board policy applicable to all schools in the district.

2. No additions or school construction be undertaken in the Province of Nova Scotia without prior consultation with local communities and municipalities to determine whether it is appropriate to incorporate within the proposed addition or new facility, additional facilities for the purpose of enhancing the school for students and community alike, to be paid for in part or in whole by municipality, community or other groups. Provided however in the event that such arrangements are to be entered into, the following criteria should apply:

(1) The School Board shall be the operators of all school facilities within the district, subject only to any agreement in writing providing for joint operation with a municipal unit or other local authority.

(2) That in reaching such arrangements or agreements, the primary purpose of school facilities as places of education for students shall be of paramount consideration.

(3) The place of schools as centres for community activities and as focal points of community gatherings should be encouraged and fostered both during school hours and after school hours, on weekends, holidays and during the summer and other breaks in all respects but so as not to be inconsistent with the primary function of such facilities.

(4) That there be a clear differentiation of responsibility for maintenance, repairs, and depreciation of such buildings between the parties to the agreement.

Section VII

LAYOFF PROVISIONS AND TEACHER CLASSIFICATION

Submissions

Many submissions were received by the Committee with respect to layoff provisions and teacher classification. Both provisions are intimately concerned with the security and benefits enjoyed by teachers pursuant to legislation and the collective agreement between the Nova Scotia Teachers Union and the Provincial Government.

A great deal was said and submitted to the Committee on these issues. The views tended to diverge between two opposite points of view: On the one hand, that these are matters that are the subject of an existing collective agreement and should be dealt with exclusively through the collective bargaining process; and on the other hand that these are matters of educational concern that must be dealt with by the authority mandated to deal with education, the Provincial Government through legislation.

For that reason, these submissions, observations of the Committee and recommendations regarding layoff provisions and teacher classification will be dealt with together in this section of the report.

Layoff Provisions

1. A Matter of Contract

Reductions/layoffs must be achieved within negotiated guidelines of agreements. School Boards must be able to reduce staff for reasons of declining funding levels.

The suggestion was made that the issue of teacher layoffs and classification should be left to the collective bargaining process and should not be dealt with by the Committee.

Currently, Boards can layoff permanent contract teachers only due to declining enrolments, pursuant to the NSTU Collective Agreement.

Any matter respecting layoff provisions should be taken out of the Education Act and left in the Collective Agreement.

Questions regarding the laying off of teachers and terminating their employment are inappropriately discussed in this forum. Any change should occur through collective bargaining and not through legislation.

Layoff provisions: This is best left to negotiations. An employee should be laid off only for "just cause". It is incumbent upon the employer to provide in writing at the time of hiring what constitutes "just cause".

The only place for discussions regarding layoff provisions and teacher classification is at the bargaining table under the Collective Agreement. Contractual obligations with regard to seniority must be honoured.

2. A Matter of Education

The present teacher layoff mechanism available to Boards is complicated, cumbersome and potentially very costly. A simpler teacher layoff mechanism is required. Seniority provisions in local contracts must be respected. However, the needs of students must also be respected and protected. There must be provisions in seniority articles that would protect programs for students.

Boards must be given the authority to manage and government must support the Board in regaining control in relation to layoff provisions.

Children are the most important variable in the education equation. "Their needs take priority over all others." Programs that enhance the education of children must be protected when layoffs are considered. In the event that staff reductions become necessary due to funding or other reasons, teachers should be laid off as follows:

(1) All term one contract teachers.

(2) Probationary one teachers not necessarily in accordance with seniority. Teachers in this category may be retained if in the opinion of the Board such teachers are necessary to maintain the program.

(3) Probationary two teachers not necessarily in accordance with seniority and with the proviso that they be retained if necessary to maintain a program.

(4) Permanent teachers in accordance with seniority except where program priorities necessitate retention of one permanent teacher over a senior teacher. (Cape Breton District School Board)

Should financial circumstances require, Boards should be entitled to layoff permanent teachers. Layoffs should be seniority based but subject to competency.

By honouring the seniority clause, teachers have been mismatched with positions that may not have been the best for them or for their students. Some teachers over the years have had to agree to take positions that were not their choice or for which they were not particularly well trained. This process benefits neither staff nor students.

Rules governing seniority are written primarily with the teachers needs in mind. Boards must be mindful of the "right of children to have confident, skilful and enthusiastic teachers at all levels."

It is unsatisfactory that high performance teachers may have to leave the system because they have only five or six years experience with the Board. This is intolerable. School boards have little leverage in the process.

The maintenance of education programs is the primary aim of school boards. Legislation allowing for layoff provisions must protect existing programs. Local agreements do not tend to contain a program protection clause in the seniority clauses. The two year freeze does not allow boards to negotiate such a clause until 1993. The Province should legislate with respect to seniority and layoff provisions in a fashion that would give greater protection for program integrity.

The burden of proof required by "just cause" is elusive and costly. Very often an unsatisfactory employee continues to do a poor or mediocre job because of the inability of Boards to realistically layoff. "Seniority is an overworked word" when considering layoffs. It is a term that needs to be reviewed in light of tough economic times - when layoffs are more often considered as a cost cutting measure. "While jobs are important, the quality of education must be our major concern." As a result of the existing arrangements, first and second year probationary teachers bear the brunt when layoffs are necessary. This is unfair. In many cases, "probationary teachers are high performance teachers" and by laying them off we remove the new blood so necessary to keep our staffs balanced. Phrases like 'the estimated enrolment of courses a teacher is qualified and willing to teach is insufficient to justify the employment of the teacher' should not be the legal way to achieve appropriate layoffs.

All provisions relating to layoffs must be reviewed and during periods of severe financial restraints, "just cause" must be expanded to include a recognized and proven shortage of overall funding. Such a move will require "tremendous trust and co-operation between Boards, unions and the Minister of Education." The process should begin now and not wait for a budgetary shortfall.

Under existing provisions, layoffs are governed by Article 21 of the Collective Agreement as well as provisions in local agreements. School boards must be primarily concerned with the protection of programs to ensure that qualified teachers are available to teach mandatory programs. It is essential that school boards have the authority to designate staff as essential for mandatory programs particularly in light of the fact that most specialist teachers are among the lowest in seniority and would be the first to be laid off in a climate of staff reductions.

3. No Changes Required

Permanent contract teachers should be laid off in accordance with seniority.

4. Government Should Legislate

Layoff provisions should be legislated and not negotiated.

School Boards should be permitted under the Education Act to reduce teaching positions when enrolments decline or adequate funding is not available.

Boards must be permitted and the legislation must provide that a layoff provision be considered if no other acceptable alternative can be found.

Since the Public Sector Compensation Restraint Act makes it impossible for Boards to negotiate a resolution to seniority and program protection in the face of the need for layoffs, the Province should consider legislation to allow Boards to layoff teachers.

The proposed amendment in Bill 147 with respect to layoff is agreeable. The proposed amendment to Bill 147 regarding teacher classification is appropriate.

"Most school boards agree that legislation that will enable boards to have the flexibility to adjust their teaching staff in accordance with declining enrolment, financial realities and educational priorities, must be in place."

Procedures and methods that fairly and equitably deal with the issue of termination of permanent contract teachers as a result of a decline in enrolment are currently in place. Such safeguards should be included in legislative provisions that would allow school boards to terminate employment due to lack of funds.

Immediate steps must be taken to amend the appropriate sections of the applicable statutes to allow for a proper mechanism of layoff and recall of both permanent and probationary contract teachers when programs or services are discontinued or the board has insufficient funds.

Boards should have the authority to designate teachers as essential and exempt from seniority layoff provisions stipulated in the Collective Agreement.

5. Government Should Negotiate

There is a need for layoff provisions that recognize program requirements and economic constraints. The Department of Education, NSTU and NSSBA should co-operatively formulate such a clause.

A committee of the Department of Education, NSTU and Nova Scotia School Boards Association should be formed to develop and recommend a method to adjust staff to ongoing changes in student enrolment.

Changes to layoff provisions should not be changed unilaterally.

6. Seniority

The movement of teachers within the Province should be made easier. Seniority and service benefits should move with the personnel involved. Surplus administrators should be recycled back to the classroom. Surplus staff could be retained on the seniority list.

7. Qualifications of Teachers

Concerns were raised regarding mandatory continuing education, teacher evaluation, and "rightful" dismissal provisions.

The results of layoffs from declining enrolments have sometimes resulted in layoffs of junior but qualified staff in favour of senior staff who lack the qualifications to properly teach the courses. This is detrimental to the students involved. Currently, the Minister of Education and NSTU say that a "teacher is a teacher". There is a need and room for recognizing some specialties in the teaching profession.

The Nova Scotia Teachers Union can be thought of not just as a labour union but also as a professional policing force for their own members.

"Without any mechanism that requires these teachers to assume personal responsibility for retraining, studying or planning for their new roles, the Board has little choice but to assume an on-the-job training mode which could take considerable time."

There is considerable concern that some teachers are being placed in positions that are unsuitable due the seniority clause in the contract. "There must be a requirement for retraining." In the face of declining enrolments, boards will lose their flexibility and there is a greater chance that teachers and positions will be inappropriately matched.

Provisions should be made whereby the most qualified teachers are given a priority to ensure the best for all children.

Boards should not be given carte blanche freedom when it comes to layoffs. Employees need protection. When hiring, we must ensure that "only those necessary to protect the quality of education are hired".

School boards need to develop five year plans so that they will know when they are facing possible layoffs and downward trends. We should consider a system of Province-wide pooling of teachers so that laid off professionals in one area have the first option at jobs in other areas.

Terminations should occur for teachers not performing.

8. Retraining of Teachers

If the possibility exists that permanent staff can be cut, this should be known at the time of hiring and understood by everyone. There is an obligation on the part of the employer to give permanent employees a chance to retrain for the future.

Assurances for retraining must be provided to competent teachers. The NSTU should have the authority to implement methods of removing weak teachers.

Declining enrolment and corresponding reduction in teaching force can result in the placement of ill-prepared secondary teachers in elementary classrooms. Teachers should be expected to participate in on the job training programs.

9. Financial and Other Matters

In the past, the government has not matched the payment to Boards with the increases they have negotiated in teachers contracts.

Other decisions of government at different levels including the increases in unemployment insurance premiums and the replacement of fuel storage tanks has caused Boards additional expenses not provided by the Department of Education. Salaries make up 80% of Board budgets and a 0% increase would normally be manageable. However, Boards will be obligated to pay teachers five million dollars in incremental increases and license changes which were excluded from the wage freeze.

School boards do not require additional powers to layoff teachers if the funds supplied to them are adequate.

The problems with school boards keeping teachers on is a matter of insufficient funds. The Province must provide more monies.

Layoff provisions must be available. However, School Boards may fill the positions with family, friends, and relatives and they should not be allowed to do so. If School Boards used a little common sense, in various programs, they would not be short of funds.

If there are no restrictions on Boards' right to layoff teachers, then in financially difficult times, class sizes may grow larger.

The Province should ensure adequate funds are made available to School Boards so that termination of teacher contracts becomes a non-issue.

Teacher Classification

1. A Matter of Contract

The suggestion was made that the issue of teacher layoffs and classification should be left to the collective bargaining process and should not be dealt with by the Committee.

There is a specific Article - Article 15(01) of the Agreement that stipulates that restructuring of classification shall not occur unless mutually agreed by the union and employer. Therefore, such changes should not be deliberated upon by the Committee.

Any aspect of teacher certification or classification having an impact on salaries should be left to the Collective Agreement. A new restructuring of classification or changes in requirements for teacher certificates and permits should be mutually agreeable between the union and the employer.

Any aspect of teacher certification or classification that impacts on teacher salaries should be left to the Collective Agreement. Salaries must remain adequate to attract appropriate individuals to the teaching profession.

Teacher contracts and processes pertaining to them should be contained within the Collective Agreement exclusively and should be removed from the Education Act.

Matters concerning teacher certification or classification currently contained in the Regulations and the Agreement be recorded uniquely in the Agreement.

2. A Matter of Education

The Nova Scotia Teachers Union and the provincial government should together revise teacher classification categories to reflect the modern world and future needs for teacher qualifications. There must be a balance between specialization and generalization.

The present system of teacher classification does not appear to satisfy the needs of either the teachers or the students. One questions the system which mandates academic achievement and length of service as the sole criteria for classification and therefore salary. There is a presumption by the public that some form of merit pay should be initiated. Further study is needed to develop an equitable system.

School Board Administrators and school principals should be aware of a teacher's capabilities and use good judgement in the placement of teachers. If a teacher is in a position and it does not work out then students should not have to suffer. The teacher must be removed from the situation and placed where they can do a good job.

Teacher classification affects standards and the dropout rates.

"The present classification system for teachers was criticized in the Graham Report as far back as 1974. It said "the entire system of certification cries out for simplification and 'school boards also have concerns regarding the present system of teacher classification in Nova Scotia'. It seems inappropriate that classification and therefore salary should be determined solely on the basis of academic achievement. We also believe strongly that a mandatory element of professional development to maintain certification should be introduced." (NSSBA brief)

There should be a study to determine the appropriateness of the teacher classification system. The questions that need to be addressed are: Are academic courses directly related to the teacher's or classroom responsibilities; should there be time periods built into the certification process; Should the certification levels be coincident with university degrees; Should there be mandatory in-service training of a non-credit nature; Should teachers be expected to continually upgrade without the expectation of further compensation.

The issue is this. It is not necessarily the person who is taking the most courses who is the best teacher, rather it is the person who combines personal commitment, professional integrity, personality characteristics and academic preparation.

"Teaching children must again become the one main reason for becoming a teacher, instead of money, holidays and early retirement." The teaching profession could be better approached if entry could only be gained after a good work experience or at a minimum age.

The complacency in the classroom is due to tenure; great for job security but not for the quality of education.

Why should a teacher have more job security than the average person? There are quality teachers looking for work who are willing to put in the necessary time and effort to ensure that children receive a good education.

The current teacher training certification route is designed largely to enhance teachers' salary and has little to do with the quality of education in the classroom.

3. No Change Required

Current teacher classifications as outlined in the regulations are appropriate as they are now defined. The cost of substitute teachers is of great concern. Nonetheless current provisions respecting substitute teachers should be maintained.

The current system of teacher classification should be maintained.

There should be no changes in the present certification provisions and enacted legislation. Some teachers have been unfairly licensed due to ever changing rules and regulations of the Department. Redress should be provided for those.

The diverse nature of the teacher certification and supervisory allowances are not well understood by the general public and could be open to misinterpretation.

Only those familiar with teacher education clearly comprehend the process and can offer the appropriate advice regarding teacher classification.

The issue of teacher classification should not be discussed in a public forum by many who would lack an understanding of the issues.

4. Government Should Negotiate

A co-operative venture between government and the NSTU would resolve some of the problems surrounding the issue of teacher classification.

There is a need to study and review the present process in place for teacher certification but this should not be a unilateral approach to implement legislation.

5. Qualifications

It is important that teachers be multidisciplinary in their fields.

Teachers should teach at the level for which they are certified; elementary, junior high or senior high. For senior high, teachers should teach the subject they have majored in.

Teacher classification should reflect (1) specialized areas of expertise (2) certification according to grade levels taught (3) mandatory professional development (4) more extensive and specialized teacher training.

What are the merits of paying teachers solely on qualifications? What are the benefits of courses taken for upgrading teacher licenses? Is there a role for merit pay, for specialist licenses? What is the basis for payment of administrators? Who should pay the cost of teacher upgrading? Why are we paying for educational backgrounds and not for results?

It is essential that a teacher have training in the content area in order to provide the quality of instruction that is necessary.

Student graduates from community colleges as librarians should be used as librarians in our regional high schools as opposed to teachers with teaching certificates.

In the present system the teacher salary increment increases based solely on academic training should be examined. Other than through the collective bargaining process, salary increments for teaching staff should only be granted after successful completion of appropriate course work as approved by the Department of Education or performance its appraisals.

There must be greater emphasis on internship, with younger teachers learning and being exposed to master teachers within the system.

Teacher certification should be reviewed. Teacher training and certification should reflect:

(1) specialized areas of expertise

(2) certification according to levels ie. elementary, junior and senior

(3) matters where a professional development to maintain certification

(4) certification upgrades to be directly related to teaching assignment, specialized areas of expertise, etc.

(5) teacher training to become more extensive and institutions to become more specialized ie. French language education at the university de St. Anne's, special education at Acadia University, elementary to junior at the Nova Scotia Teachers College, etc.

There should be provincial control of teacher training. There must be greater emphasis on teacher retraining by the Department of Education. There should be consideration of "brokerage" planning or summer schools to train large groups of teachers for specific educational initiatives to ensure professional skills meet current classroom needs. One day awareness in-services are not sufficient.

Most of teacher education institutions accept only one in six qualified applicants.

The current practice of teaching certificates that allow teachers to teach at any level from primary to grade 12 and in any subject area from French to Physics is not in the best interest of public school education.

The Science Research Council of Canada recently surveyed the education system in this country with regard to math and science background of Canadian elementary school teachers. The results are not encouraging. The BED program is not a finishing school. It should be one year - provisional licenses.

"The whole issue of teacher classification is a complex one built on tradition, hazy principles and a great deal of subjectivity. Education programs vary greatly between universities and essential components are often excluded." University programs should be required to include studies of the Education Act and the Regulations. Teacher classification principles for licensing need to be clearly enunciated and communicated and include incentives for teachers to upgrade and develop professional components. There should be a Committee formed to study the issue of teacher certification.

It is appropriate for all Provinces to enter into a discussion on teacher classification to ensure that professional standards exist nationwide.

Student-teacher ratios are being negatively affected by the number of teaching specialists in the system. There is a need for some specialists but it should be based on the cost effect of the school.

All teachers with B.A.'s should have one year of university credits in Science - Mathematics, Physics, Chemistry, Zoology, Archaeology, etc. Cosmology should not be left out today.

Teachers should be classified as the area of proficiency eg. P-8 (elementary - English) with a minimum education level university degree and a minimum hour mandate in the area of specialty. Each special certificate should be probationary for a period of time and additional courses required in a subject area before certification is granted in a specialist area.

You place a tremendous moral obligation on a individual teacher to leave them with the choice of whether they will or will not take a job which they lack the qualifications for. The reality of education is that you cannot teach what you do not know.

Teacher training programs vary considerably among the various teacher training institutions in the Province. An assessment of the contents of those programs should be initiated.

Currently one can obtain a masters in education which is very theoretical and designed for administrative position. If you complete the program you will increase your teacher's license. On the other hand, if you obtain the diploma in special education offered by Acadia University, unless you are a special education teacher per se, you do not receive a license increase. Yet such a program is of value to all classroom teachers in Nova Scotia. Since most special education students will be in regular classrooms, should not all teachers have special education training?

Non-teaching duties should be carried out by non-teachers at presumably a lower pay scale.

7. Retraining

Continuing education courses must be made compulsory for all teaching staff in order that they keep abreast of changing information and techniques. These courses should be increasingly paid for by teachers themselves and should not always result in increase of licenses.

All teachers must have periodical training courses. The best teacher possible must be in front of the class. Grade 11 Chemistry must not be taught by anyone but a Chemistry teacher. If the public knew of this happening they would move to prevent it.

Professional development opportunities should be made available to teachers.

Each graduate program should have an identifiable research component.

The NSSBA has requested the Department of Education make continuing professional development a requirement of teacher certification.

To maintain certification of teachers, one course in methodology must be taken every five years at the expense and on the private time of the teacher. As is the case with many professionals.

If teachers are so classified into narrow specialties, they may be at risk unless they have the opportunity for retraining. Over certification limits the flexibility of School Boards to move personnel where they are needed.

Teachers who are incompetent must be identified and removed from the system. The Nova Scotia Teachers Union has a leadership role to play in career development. Teachers whose skills are out of date must be retrained. It is an essential part of professional development. Such retraining must be mandated in order to maintain teacher licences.

8. Productivity

Teacher classification should have a complete overhaul to reflect the realities of the 1990's and the reality of modern productivity. Our teaching system is antiquated. If teachers insist in demanding extra pay, they had "better come out of the dark ages" and bring their productivity up to modern standards.

The average annual salary of the teachers is about $45,000. A highly qualified teacher (TC8) earns around $70,000 per year. Teachers are perceived to work only during school hours - about 30 hours per week. They have lengthy holidays during Christmas and at mid-term and two months off in the summer. In contrast, business managers are known to work in excess of 60 hours per week. Teachers should be required to be at their work station from 8:30 - 4:30 each day. The preparation work for lessons and grading of student work could be done at school. Teachers who work outside of class time would be visible to the community and the teacher would be accessible to parents. "Adherence to regular extended hours which present a professional, responsible, accountable image to the public".

There must be a consideration of value and appropriate resources in looking at teacher classification. If teachers have upgraded themselves and yet those resources are not being utilized in the school system, this is wasteful. Upgrading programs for teachers should only be approved when it is determined that there is a need for such upgrading. We are too preoccupied with structure and ignore substance. The purpose of the education system is the students yet the bureaucracy with the Minister's office, School Boards, trustees, CUPE, NSTU, dominates our consideration.

Principals in the elementary schools should be teaching principals.

Today we demand more and more from our teachers and less and less from our students.

There should be recognition and incentives given to encourage the excellent dedicated teachers in our system.

There should be changes made to the calculation of Administrative allowances to facilitate the transfer of principals and vice principals. The current system discourages principals transferring to smaller schools because of the lower allowances paid.

Currently, the situation exists where a teacher will enrol in a particular program, not because you will allow them to do the job better but rather because it is a program that will receive the reward of a significant increase. What the teacher is studying in receiving an upgraded licence for, should be relevant to their responsibilities.

Beyond a certain definable point, teaching ability bears no relationship to the number of university courses taken or degrees obtained. Only salary is related to those events. In the current system a part-time Master's degree program in education is designed fully to enhance individual salary. The result is an increased salary expenditure with virtually no return to the public.

9. Evaluation

Job performance is the true test of accountability. It is imperative that evaluation mechanisms and periodic performance reviews of teachers be entrenched in regulations.

School Boards should institute performance criteria and hold regular unannounced reviews of teaching staff. Many principals have never reviewed the performance of some teachers.

Highly educated people are not necessarily good teachers. Assess and evaluate teachers.

Teachers should have the onus on them to police their own. In some cases, someone has to have the courage and compassion to tell the truth.

Teachers should be measured by faithfulness to the task and not by success. If a teacher is put in a position and it does not work out, ...

There should be a teacher review at least every five years which should review parental complaints, student complaints, failure rates and passing rates.

"The Department of Education should seriously consider providing a structure under which the NSTU can be self-governing in terms of professional standards and conduct, comparable to the legal and medical professions."

Concurrently, excellent teachers receive negative signals from the system. Poor teachers and incompetence remain in the system and can improve their salary positions by completing courses or programs of marginal value. There are few rewards for good teachers.

Teachers should be recognized on the basis of the success rate of their students - advances in basic aptitude, dropout rates, percentages seeking continued education or professional development.

10. Licensing

Teacher license increments should not result simply from the pursuit and successful completion of university courses. Such increments should be effective only when the teacher is engaged in the area of new expertise.

It may be useful to have quotas on licenses. We only need a certain number of TC6's or TC7's or TC8's.

In relation to teacher classification, it is out of control. Teachers should be classified for the position they hold and not paid for the present classification that they have acquired. They should be evaluated on merit.

This may be an excellent time to simplify the salary scale as follows:

1) The Administrative scale would be drastically reduced. The following salary scale would apply:

   - TCM to TC4 if any are still around with no increment as follows:

TCM	29,000
TC1	29,000
TC2	29,000
TC3	32,000
TC4	35,000

The following levels TC5-TC8 with 6 increments of $3,000 each as follows:

TC5 $29,000 - $47,000
TC6 $32,000 - $50,000
TC7 $35,000 - $53,000
TC8 $38,000 - $56,000

Principals up to 50 teachers - $10,000 extra. Over 50 teachers - $15,000 extra. This is part of the administrative scale. Superintendents up to 500 teachers - $20,000. Over 500 teachers - $25,000.

Advancement from the TC5 to a TC6 requires an approved masters degree from the recognized university. However, a graduate program may not be in the best interest of the employing Board.

We should stipulate on a BED graduate's provisional license that they are qualified to teach at the elementary or the secondary level. Any teacher would be able to seek a change in classification given appropriate evidence of qualifications.

The school system should maintain the non-specialists certification system that we now have. A more complex system could hinder flexibility in staffing.

Salaries should be re-rationalized. Teachers should compete by examination to obtain a higher license. Today many hold a top license of 30 years of age with little incentive from that time forward. Something should be held back to appropriately reward experience possibly a pace scale that would come into effect at age 50 or at the end of 20 years of teaching.

Teacher's pay might be shared with a teacher assistant who in co-operation with the Teachers' College could earn class time but would be given equal access to the students in the classroom. Full-time assistance could be paid for with monies from teacher substitute costs. If done properly and on a rotational basis this could ensure the production of qualified teachers for all grade levels.

Teacher classification should be raised from a TC5 to TC6 for all teachers completing the diploma program in special education, teachers should be made aware of this change and encouraged to complete the program.

A multi-classification system encourages teachers to keep learning to a formal process of education.

Teacher certification upgrading should be comprehensive, controlled and compulsory throughout a teacher's career. In controlling certificate upgrading, a combination of years of experience and mandatory training or course work could be the entry way for a certificate upgrade.

Currently, teachers can receive a higher license by taking programs that they never use in their classrooms. Teachers should not take courses for the sole purpose of increasing their license. School Boards often cover a teacher's tuition to take courses which may not improve the teacher's skills. Then on completion of the course work, the school board must pay a higher salary to that teacher. All current programs should be evaluated by the Department of Education before increases of licenses are given to ascertain what programs are of high standard and contain learning that is applicable to the individual's teaching situation.

There are currently 14 different classifications for teachers with 7 separate pay scales, not including scale steps.

The current number of classifications should be modified to reflect a non-degree category, a first degree category or equivalent, a second degree category or equivalent, and a third degree category or equivalent. As follows: TC1 to include all TC4's and below including vocational teachers without a degree and/or recognized journeyman trade ticker. TC2 to include all current B.A., B.Ed. teachers or equivalent. TC3 to include all M.Ed. and M. At. or equivalent. TC4 to include all PHD's or equivalent.

Teachers should be classified by a job description which determines salary. Each position should have a minimum and maximum educational requirement and a suitable salary scale.

The current teacher certification system is inadequate and creates and impediment to the satisfactory classification of teachers in the implementation of an efficient layoff policy.

Classification of teachers should be by "job titles". Currently there are teachers holding certification which is meaningless for the position which they occupy. Some teachers have inflated qualifications - they have been able to slip through loop holes in the system to their financial advantage without providing any instructional advantage. All qualifications of teachers must be reviewed. Prior to review, positions, not teachers should be assessed to identify the qualities and qualifications the position requires. Certification criteria should be drawn up for those positions. A reward system must be established for the positions and the principle of equal pay for work of equal value must be applied. In such a system, the addition or reduction of staff within job classifications would become methodical. Seniority could well play a role in the principle of layoff or transfer.

There should be four classifications of teachers:

(1) A TC1 -- non-degree
(2) A TC2 -- one degree
(3) A TC3 -- two degrees
(4) A TC4 -- three degrees (or equivalent)

Observations and Recommendations

We heard from the Nova Scotia Teachers Union and other locals of the NSTU that teacher classification is a matter of contractual arrangements and negotiation and is not a proper subject for legislation or for the Committee.

It is recognized the very serious interest that the Nova Scotia Teachers Union and teachers have in this particular issue. However, what must be recognized by all citizens is that the primary and underlying purpose of our education system is the education of our young people. That is our purpose, goal and raison d'etre. There is no other. Teachers, the school boards, the taxpayers, the Ministry of Education all exist to serve the students and their education. The NSTU legitimately exists to serve teachers and their legitimate interests. The remuneration and benefits for teachers is a matter for negotiation and contractual arrangements. What teachers of any given classification are to receive by way of remuneration or benefit is a matter of legitimate discussion between employer and employed in the context of contractual negotiations. What those classifications should be however is a matter of education criteria. Classification should exist to serve the needs of students.

Similarly with respect to layoff provisions, the Nova Scotia Teachers Union has a legitimate interest in safeguarding rights of teachers in the context of contractual negotiations. It is a legitimate and laudable pursuit. Nonetheless, how layoff provisions should be constructed, as between the employer and the employed, is a matter that must yield in all instances to the primary interests of the children's education. So long as any given approach to layoff provisions does not conflict with the legitimate education interests of our school children, then it is entirely a matter for negotiations. Conversely, if there is any strong likelihood of conflict, then layoff provisions must yield to the best interest of the students.

It can be seen by a review of the above submissions regarding layoffs and teacher classification, the issues raised are often common to both. Is it a matter of contract exclusively? Is it a matter of education? Is change required? Should government legislate or should government negotiate or both? What qualifications should teachers have before they enter the classroom? Who is responsible for retraining? Should teachers be subject to evaluation and if so how? How do all these issues impact on the productivity of the system and the finances it supported?

We must move towards competency testing so that competency and seniority are both factors that govern retention during layoff periods. The right to layoff permanent teachers should be based on competency and on seniority. Competency at the outset should be based on qualifications known in advance to satisfy particular course delivery requirements.

Central to this issue is the need for teachers to upgrade themselves and to engage in active professional development. This is not uncommon for other professions and there may be a requirement that teachers to maintain their qualifications will have to undergo retraining.

Some flexibility should be built into the system that would allow for the existence of a provincial pool of teachers who might be recalled on the basis of seniority.

Legislation and collective agreements made in accordance with such legislation should ensure that the most qualified and competent teacher remains in the classroom in the event that layoffs are required. As long as the educational interests of the students are not compromised however any contractual arrangements designed to protect the security of teaching positions are legitimate and should be encouraged.

There are a number of suggestions as to what should happen and the Committee refers to the specific recommendations of the Nova Scotia School Board's Association with respect to possible legislative amendments to the Education Act regarding layoffs which are appended hereto as Appendix V.

Implicit in this entire discussion, is the need for school boards to manage and allocate resources as efficiently as possible including as a priority the appropriate matching of personnel with teaching positions. This requires long-term planning and forecasting to make it possible to respect the legitimate concerns for seniority.

Some general observations need to be made:

1. It is hard to imagine a profession today more challenging or rewarding than that of the teacher in the public school system. The difficulties, the stresses of the job are apparent to most and do not need repeating. At the same time, the other side must be emphasized. The opportunity to assist in the moulding and improvement of young minds in working with the young people of today in their development has special and unique rewards that can be found in no other profession.

2. Teachers are suffering today from an image problem not unlike the image problem that many public servants are suffering from including politicians. There is a general cynicism in society about public servants and teachers have not escaped that. Where once teachers were widely recognized and revered as models in every community and individuals universally worthy of respect, the profession has come under attack as being self seeking and not particularly progressive. Whether such criticism is entirely justified or not, it is there. It is important that this view of teachers be improved. As confidence in the teaching profession and teachers improves, so will the level of trust and the ability of teachers to work better with students and parents and others in the system.

3. It is important that the very best potential educators in our society come forward and seek a career in teaching. It is important that we obtain the best, that we continue to upgrade their professional skills, and that we keep them in the system for as long as they can offer their best to the students.

To obtain the best, we must make the profession one that has its tangible rewards in the form of salary and benefits and securities. These benefits must not conflict with and must not be allowed to conflict with the primary obligation to provide our children with the best possible education. In addition, working conditions are important. Aside from the tangible benefits and working conditions, it is important that the teaching profession be one that is challenging to those teachers who want the opportunity to take their students as far as they can go.

There are teachers in the system who should not be in the system. They are not teachers and they are not capable of teaching. They do not have the interest of the students at heart, they lack drive, ambition, they do not inculcate values, they do not assist the students to learn, in many cases they are detrimental to learning. They should not be there. On the other hand, there are teachers who literally give their lives for their students. They are absolutely devoted to the principles of teaching and education, they spend many, many hours before, during and after school and unfortunately for some they burn out because they are driven to do a good job in an atmosphere which does not reward merit and in all cases where the task is never complete and there is never truly any rest.

This is in no way intended to be a critical analysis of the teaching profession. But it is clearly the impression of many and of the Committee that there is a solid cadre of intelligent, motivated professionals in the Nova Scotia teaching profession.

We are on a sea of change. Like all of us, the teaching profession needs new directions to deal with the new changes taking place.

It is vital that just as principals be drawn from those individuals with a considerable breadth of knowledge in various subject areas and who have managerial abilities, it is important that the teaching requirements of each grade and classroom setting be analyzed to determine what strengths and knowledge are required of the teacher in that setting. A teacher in elementary required to teach multi-subjects and multi-grades must have a sufficient grounding in the sciences and math as well as the arts. Such grounding would be required to be considerably more for specialists in the sciences in the junior and senior high schools. It is key to the success of our students in math and science that teachers be well enough grounded in those areas to make the curriculum relevant and interesting to students. It is important to our Province and our country that we produce more science students for post-secondary education.

Note the following excerpts from the Graham Royal Commission regarding teacher classification:

> "Any change in existing practices related to the certification of teachers touches immediately on the personal and professional interests of all members of the profession (vested interest).
>
> "It is not easy to determine with even a reasonable degree of certainty what Nova Scotia's definition of a qualified teacher is nor to identify a logical or consistent basis for the certification of teachers. The entire system of certification cries out for simplification.
>
> "Differences in salary, (based on the present structure) place teachers on the staff of the same school in quite different economic... positions. Yet there is no evidence that the more generously rewarded teacher necessarily makes a greater contribution to the school or to the educational opportunities of students.
>
> "The problem is a complex one and no solution is possible that does not provide for protection of teachers, students and the public. An acceptable definition of qualifications for teachers should be agreed upon and the notion abandoned that anything less than a fully qualified teacher is acceptable. The principle of equal pay for equal work should be accepted and adapted to the teaching profession. Teachers should be rewarded for assuming additional responsibility of leadership and supervision."

The Queens District Board recommends:

(1) All previously issued certificates be honoured for a specific period (Seven years).

(2) Senior teachers retiring within this period should not be required to increase their license levels.

(3) All new teachers must be given a specific level equivalent to a present TC5.

(4) During the seven year period, the differential among teacher salaries should be progressively decreased.

(5) Teachers with a license higher than the basic level should be protected through grandfather clauses but no further license increases should be given beyond the basic teacher's license. The holders of post-graduate degrees are not necessarily more valuable because of the additional degree they hold.

(6) Teachers who assume temporarily or permanently additional responsibilities should be recompensed for these responsibilities. Any other officially recognized designations among teachers in the form of inferior or superior certification or in the form of salary differentials are divisive in the profession and are fundamentally inequitable.

(7) Specialist certificates should be regarded as evidence of preparation to reform specific identifiable tasks or services but of not of superior worth.

(8) Teachers should be required to show evidence of continuing professional development beyond that provided by school boards. A minimum of one course per five years is not too arduous to expect of a professional body.

The Nova Scotia Heads and Deans of Education have expressed concern on a number of occasions "that existing certification regulations may not be in the best interest of the Nova Scotia education system" and specifically;

"(1) general certification permits teachers to be employed at grade levels and in subject areas for which there has been little or no preparation.

(2) the types of programs required for or deemed acceptable to qualify for certification advancement do not always relate to the needs of the teacher or the public school system."

The Heads and Deans have recommended that the Advisory Committee on teacher certification re-examine the licensing requirements of the Province and that such re-examination be carried out in co-operation with representatives of school boards, university Departments of Education, the NSTU, and the Department of Education.

The issue must involve the following discussions;

(1) maintenance of licenses including requirements for ongoing development, the form of development and the credit for development.

(2) the issue of graduate education and certificate requirements.

(3) the issue of specialist certification.

Recommendations

As the Committee has heard repeatedly, the issues of teacher layoffs and classifications are matters that are dealt with in the collective agreement and affect the rights and privileges of teachers. At the same time, the Committee has heard that both of these issues, in many instances, impinge upon the quality of education in the classroom.

In any ordering of priorities, the quality of education must have precedence over everything including issues of seniority or job classification. Such an ordering recognizes what is an implicit and should be an explicit goal of education and that is the provision of the best quality of education possible in the public school system, as well as recognizing that the entire system, including the teaching staff, exists to serve the students education.

There can be little doubt that the current system of teacher classification bears little relationship to educational outcomes. **In consensus with the overall thrust of this Report in this regard, it is essential that a system of classification be devised consistent with identifiable educational outcomes.**

As the Committee has determined, there is no definition of a qualified teacher. Technically, a teacher is a teacher and is essentially qualified to teach any subject.

It is evident as well to the Committee, that the current classification of teachers that essentially permits any teacher to teach any subject is inappropriate. There is some doubt that the current classification could well have a negative impact on the quality of education in the Province and it is urgently in need of review.

Therefore, the Committee recommends that the Department of Education in consultation with the NSTU, the NSSBA, and the Nova Scotia Heads and Deans of Education review the entire system of teacher classification and devise a new system of classification having regard to such criteria, which may include the following, as they may deem relevant:

(1) Reducing the number of certification levels.

(2) Instituting specialty licenses for both elementary and high school, licenses for subject teaching based on essential academic backgrounds as well as specific speciality licenses.

(3) The rationalization of teacher certificates with respect to academic qualifications and specialities, the provision of appropriate requirements for license maintenance by way of retraining or upgrading including the duration, type and quality of such programming and responsibility therefore, and such other matters as the parties may deem relevant.

(4) The complete review of the teacher training institutions in the Province with regard to the appropriate teacher training curricula, including in that regard the appropriateness of mandatory special education courses for integration into the basic curricula for all teacher training institutions and such other training as may be appropriate.

As has been said, "Teaching is the one industry where if you do something good, nothing good happens to you and if you do something bad, nothing bad happens to you." It is essential that the Department of Education, the NSTU and other partners in education, consider the real need to recognize excellence in education and to maintain some recognition that experience counts for something.

Concurrent with the determination of the appropriate system of teacher classification and provision for specialty licenses, it would be appropriate for and the Committee recommends that the Department of Education, in consultation with the NSTU and NSSBA, determine the appropriate procedure and priorities in laying off of probationary and permanent teachers where school boards face declining enrolments or financial shortfalls having regard to the recognition that teacher qualification is the first determinant for hiring but that subject only to that, seniority as determined under the existing collective agreement or subsequent agreements should be determinative.

Therefore, the Committee recommends that the Department of Education engage in immediate consultations with the Nova Scotia Teachers' Union and the Nova Scotia School Boards Association to determine appropriate revisions to the existing collective agreement to provide for the appropriate procedure and priorities in laying off of probationary and permanent teachers where school boards face declining enrolments or financial shortfalls.

Section VIII

WHETHER EXPANDED POWER SHOULD BE GIVEN TO THE MINISTER OF EDUCATION AND THE GOVERNOR IN COUNCIL IN RESPECT OF SCHOOL BOARDS WHOSE OPERATIONS ARE EITHER EDUCATIONALLY UNSOUND OR EFFECTIVELY INSOLVENT

Submissions

1. Expanded Powers Should Be Given

Expanded power should be given to the Minister of Education and the Governor in Council in respect of School Boards whose operations are either educationally unsound or effectively insolvent.

Expanded powers to Cabinet: Yes. This is necessary to protect the students, etc. between Board elections.

The provincial government has the ultimate responsibility for education. While others perform functions, the provincial government must ensure that functions are performed appropriately, effectively and that results are evaluated and fed back to the appropriate authority with some regularity and in an acceptable format.

The provincial government should have the power and ability to act in an emergency situation to protect the educational interests of children in any school district.

Increased powers of the Minister of Education and Governor in Council with respect to school boards will increase uniformity of educational practices across school board districts.

The Minister of Education should have expanded powers. School Board spending should be checked quarterly.

The Minister should be authorized to regulate the operation of educational institutions with the greatest degree of efficiency, economy and effectiveness. Currently there are too many School Boards with too great a range of responsibility. The district school board should be amalgamated, united or otherwise reduced to no more than twelve. If their willingness to form more effective economic units is lacking, then the Governor in Council must be empowered to require such unions.

The government should retain the right when necessary to place a School Board or Municipal unit in receivership and administer it directly.

There has to be some provision in the Act to protect people from school boards whose operations are not ethical and responsible. A consultation process should be emplaced with the power on the part of the Minister to intervene if necessary.

2. Expanded Powers Should Not Be Given

The Minister and Governor in Council have sufficient powers at present to deal with Boards that are either educationally unsound or effectively insolvent.

There should not be expanded powers given to the Minister of Education in respect of Boards whose operations are educationally unsound or effectively insolvent. There is some question whether the Province is being properly financially managed.

Any major extension of the present authority of the Minister is unnecessary, unwarranted, and unwanted.

There should be no additional powers granted the Governor in Council or Minister of Education over school boards beyond those presently existing. There are six particular areas of concern: (1) Appointment of inspectors; (2) Transfer of duties to the Minister; (3) Declaring vacant offices of members of school boards; (4) Appointment of a new school board member where a vacancy has occurred; (5) Deferring election of members so ordered; (6) Appointment of a board where vacancy occurs.

3. Perhaps

Only in the most extreme circumstances should the Minister or Governor in Council have the power to intervene.

The Governor in Council should not have any further powers except in extreme situations.

While it may be necessary for the Minister to take over an unsound School Board, circumstances of such a takeover must be very clearly defined.

Such powers already exist for the Minister of Education or Governor in Council to intervene with regard to educationally unsound or fiscally insolvent operations. This is as it should be. There should be provincially defined and accepted standards with respect to these.

There should be a definitive set of rules and procedures for such takeover included in regulations made pursuant to the Education Act.

It is suggested that regulations made pursuant to Section 4 of the Education Act and specifically Regulation 2 (7) and (8) provide the Inspector of Schools with ample authority to intervene and if so authorized by the Minister to take charge of a school system, school section or school.

4. Other Considerations

Any decisions with respect to School Boards deemed educationally unsound or effectively insolvent should be subject to judicial review prior to any action being taken.

Regularly scheduled independent school district reviews of Boards would prevent any local education system from reaching a crisis level.

The regulation making powers pursuant to Section 4 - Administration, Section 5 - Powers of the Minister, and Section 9 -Duties of the Inspector of Schools under the Education Act should be re-examined.

A power already exists for the Inspector of Schools to take charge of a school system presumably in time of extreme crisis.

The Minister of Education should appraise at reasonably frequent intervals the performance of all School Boards and should intervene to correct any possible mismanagement and provide advice on an ongoing basis.

Observations and Recommendations

Although many who presented to the Committee felt that there were sufficient powers within the existing Act and regulations for the Minister or the Inspector of Schools to act in an appropriate fashion, there were certainly some questions as to whether the Minister currently has the power to intervene in an immediate fashion in the case of a school board whose operations are discovered to be educationally unsound or effectively insolvent.

Notwithstanding the view that school boards are independently elected and should be given the independent mandate to ensure that they are educationally sound and fiscally solvent, the ultimate authority to ensure a sound and effective education system for all children in the Province of Nova Scotia, to set education policy, standards and curricula and to ensure sufficient resources are available to deliver that education system rests with the Minister of Education and the Governor in Council. School boards have a vital responsibility to play in ensuring the appropriate allocation of fiscal and human resources within each board district across the Province. School boards have a primary responsibility to ensure that the education policy and curricula as mandated by the Department of Education is carried out and that the systems within their districts are accountable to them as board members but primarily to the students and the parents of students whom they serve.

With some of the recommendations made in other parts in this report in mind, it is the view of the Committee that there will be increased responsibility for board members and increased accountability at all levels in the school systems throughout the Province where that accountability should exist. In the final analysis however, it is the Minister of Education on behalf of the Department of Education and the Government of the Province that must ensure that all school children are receiving the level of education mandated by the Act and regulations and policies made pursuant thereto.

A review of the Municipal Affairs Act will reveal that there are a number of sections that confer special authority on the Minister of Municipal Affairs to intervene in the affairs of city, town, and Municipal Councils when the Minister so deems it necessary. Those powers include in some situations the removal of the Council and the appointment of a new Council by the Minister to oversee the operations of the Municipal unit. Those provisions in the Municipal Affairs Act, rarely used, recognize the overall responsibility that the Government of Nova Scotia has as the legislating authority for municipal government. There is a parallel between municipal government and school boards. Provisions, to the extent they do not now exist in the Education Act, should be legislated for inclusion in the Education Act and/or the School Boards Act to provide similar authority for the Minister of Education as that granted the Minister of Municipal Affairs under the Municipal Affairs Act so that the Minister of Education does have power to act, to intervene and if necessary take control of the operations of a School Board whose operations are either educationally unsound or effectively insolvent.

Regulations can give the inspector the power of the superintendent of schools, the supervisor of schools, or the school principal. However, school boards currently have the real authority and legislative changes should reflect the fact that it is not appropriate to take over a school system by regulation. Rather, it should be authorized directly in legislation, with specific stipulations in the legislation as to the circumstances of such takeover.

"A school board is a sub-ordinate body of the provincial legislature. The primary power and responsibility for education has been delegated by the legislature in part to school boards. As being so, the legislature through the Governor in Council should exercise general oversight and supervision over school boards and should have a clearly defined procedure to recover powers and authorities under extraordinary circumstance." (Nova Scotia Teachers Union)

The Committee recommends:

1. **That expanded powers should be given the Minister of Education and the Governor in Council in respect of school boards whose operations are either educationally unsound or effectively insolvent.**

2. **That such powers be mandated under the Education Act and regulations made pursuant thereto.**

3. That such powers parallel the powers of the Minister of Municipal Affairs in relation to municipal units contained in the Municipal Affairs Act

4. That rules and procedures be effected that will clearly outline reporting requirements and accountability between school boards and the Department of Education including appropriate regulations to mandate and provide for financial and education audits by the Provincial Survey Team and the provision for such audits to occur on a regular basis around the Province.

Section IX

SHOULD THE PROVISIONS RESPECTING CHRISTIAN MORALITY BE AMENDED TO REFER ONLY TO MORALITY

Submissions

1. Retain The Term "Christian"

Provisions respecting Christian morality should remain in the Education Act.

The term Christian as a modifier of the term morality in the Education Act should be maintained. Even in a pluralistic society it is a worthwhile designation. The principles and practices of Christian morality must form the basis of our educational program.

What makes our schools distinctive is its Christian orientation.

Christian education holds that the first and primary educators of children are their parents. The school should try to involve the family as much as possible.

An education founded on Christian morality must promote respect for authority, for government and its representatives, the observance of just laws and a search for the common good. Christian values embrace a concern for human rights, equality of opportunity and peace and progress for all peoples.

The Christian religion should be part of the school system.

Removing the word Christian from Section 54 would serve no useful purpose. Support for Christian based morality would serve society far better than that sanctioned by one's individual conscience or ethical judgement.

The word morality must have a descriptive adjective to give it proper definition and purpose. Merely removing the word Christian does not satisfy this. Who would define morality? Leave the word Christian in Section 54 of the Act.

This Province has a strong religious heritage. Morality is revealed by God and is not manmade.

Christian Morality has served us well for generations and should not be thrown aside.

The word Christian gives a distinct meaning to the word moral and should be retained.

Removing the word Christian would leave the word morality without any qualifying adjective. This would result in morality being open to whatever the education institution wanted to promote. There must be a descriptive adjective to give definition and purpose to the term morality.

Christianity is an integral part of Nova Scotia's heritage and must be preserved.

There is no difference between morality and Christian morality.

The clause regarding Christian morality is critically important because it confirms the role of teachers as moral educators. It would be unwise to eliminate the reference to christianity without otherwise modifying the clause, for that would serve to weaken the link with religion as a resource for moral education.

The wording in the Education Act regarding Christian morality should remain as it is. This is a norm representative of the greatest majority of society. The term establishes a norm of morality.

There is no difference between morality and Christian morality.

What would morality be based on if not on Christian morality? Our education system is not based on Christian morality now. To remove the term Christian would reflect what we have now.

Western cultures have been Christian for 2000 years and Canada is heir to this legacy. The vast majority of Nova Scotians are Christian.

The very essence of Christianity forbids exclusion and enjoins tolerance and love not only for neighbours but for enemies.

Christian morality, which promotes the concern that all persons be treated with dignity and respect, is a positive concept and one that expresses ideals to which all people can subscribe.

The provisions regarding Christian morality should remain unchanged until such time as the content of morality is defined.

Society seems bent to compromise values once held sacred all in the name of pluralism.

If not Christian, what?

2. Remove the Term "Christian"

Teachers and students who have other religious mores (other than Christian) must be respected. The reference to Christian should be deleted from the Clause.

We live in a pluralistic society.

No particular religious affiliation should be reflected in the Education Act.

Teachers must teach by "precept and example". The term Christian need not be retained.

The term Christian should be removed from the Education Act as a reference to morality. The term is discriminatory and narrow and subject to attack. The expression does not reflect the character and structure of Canadian society today. The term impinges upon the academic freedom of teachers who do not belong to Christian denominations. The term is also divisive and it is not enough simply to leave it alone.

The inclusion of Christian morality in the Education Act is an archaic and discriminatory wording. This wording leaves many teachers vulnerable since many teachers practice a variety of religions - some are practising agnostic or atheist.

There is concern that children of minority faith communities not be vulnerable to peer pressure to conform or be singled out as different.

The preference of any particular religion in the public school system is not in keeping with the provisions of the Charter of Rights.

The term or word Christian must be deleted from Section 54. This wording does not reflect modern day usage.

Section 54 of the Education Act should be repealed.

3. Other Suggestions and Considerations

It should be understood that Christianity will remain the major determinant of our moral code. Many community members have difficulties with the contents of the personal developments and relations course and feel that it can only be balanced by maintaining a strong Christian morality. Even if the term Christian is removed from provision in the Education Act, Christianity must remain the major determinant of our moral code.

The law should reflect the position of respect for all religious faith.

Section 54 of the Act outlining the duties of teachers should be repealed and the duties should be contained in the Collective Agreement.

We now live in a religiously pluralistic society. The term Christian should be replaced by the term "divinely inspired."

Substitute the word Christian with 'Divine' or 'Godlike'.

Section 54 does not adequately describe the modern duties of a teacher and should be removed from the Education Act and left in the Collective Agreement so that the language may be updated.

Morality should be clear and not open to interpretation. It is suggested that the term "acceptable societal morality" be used.

The reference to teaching by "precept and example" should remain in the Act.

Even to ask children or allow children the opportunity to stand apart or be exempted from performance in religious expression is a form of coercion. Any reference to morality should be removed from Section 54 of the Act.

The spiritual influence of morality should not be undermined and some reference to God should be retained.

There should be a public debate regarding the issue of Christian morality versus morality.

A revision of this clause is necessary to "clarify and revitalize the moral education role of teachers, while drawing, as in the past, on the rich moral resources of religion and including the resources of secular faiths."

Doctor Weeren suggested the clause be reworked as follows: "It is the duty of a teacher in a public school to help students, through example of the curriculum and the life of the school, to develop as truthful, just, responsible and caring individuals and citizens aware and appreciative of the moral resources contained in the religious and secular phase of their homes in the wider community."

The provisions regarding christian morality should be removed from the legislation but remain in the Collective Agreement to allow for greater flexibility in updating the provisions.

There are alternate wordings that should be considered for purposes of the clause regarding Christian morality. One alternate wording suggested is: "...encourage in the pupils by precept and example a respect for religion and the principles of morality: for truth, justice, understanding and appreciation of their fellow human beings, and for civic, social and moral responsibility."

Section 54 of the Education Act which outlines duties of teachers is archaic, inappropriate in legislation and incomplete.

Nothing could be more fundamental or important to the education system than the duties of teachers and it is the view of the Committee that these duty should be enshrined in legislation in at least a broad fashion.

Times and social perceptions change. It is inappropriate to continually modify legislation and the language contained it when it can be left to Agreements.

A values course dealing with ethics, civics, incorporating education regarding world religions and philosophy and inculcating respect and interest for multiculturalism should be instituted either as a separate mandatory course or as an important element of the PDR (Personal Development and Relations Course).

4. Values In Society

To quote James A. Michener;

"Values are the precious reminders that individuals obey to bring order and meaning into their personal lives. Without values, nations, societies and individuals can pitch straight to hell."

The legislation or regulations respecting morality and the implications these have on lifestyles cannot be easily agreed upon but should be in concert with Human Rights and Charter of Rights legislation.

There are cases of non-morality in our schools - for example when teachers make personal comments about students or even befriend a student. There should be no favouritism or stereotyping of students. The teacher should not be a friend, counsellor, or babysitter, or parent substitute but should be a teacher.

There is core of fundamental moral values which should be taught in our schools.

Pluralism is not a new phenomena in Nova Scotia. We need to find a formulation which identifies common ground without prescribing religious uniformity. It is vital to recognize that "religion is relevant to morality". Ninety Six percent of Nova Scotians claim a religious identity.

There must be ample recognition and support for the moral education role of teachers. There must be a respect for recognition of the diverse religions and secular life stances that help shape ethics. There must be ample scope for teachers and students to draw upon religions and life stances as key resources for the development of sound values. (From Doctor Weeren's submission).

There is not much in the way of morality anywhere and any effort by the school system to instill morality Christian or otherwise should be encouraged.

We need to define an agreeable set of universal principles of morality. The term Christian may be too specific. We need to ensure an ethic which inspires to the loftiness of human ideals.

The current trend towards secularization of the education system has only served to increase the confusion that abounds in our youth in this present time. This is a generation which depends upon a system of situational ethics in which the end justifies the means.

Parents are primarily responsible for the education of their children and the school system should not do anything to undermine what parents have taught children with respect to morality.

There is a growing lack of respect for private and public property, drug abuse is rampant, the family life is disintegrating and pornography, promiscuity and sexually transmitted diseases are reaching epidemic proportions. There are moral absolutes. Truth is a constant. The clause regarding Christian morality should remain intact. And all areas of the curriculum should be consistent with and reflect principles of Christian morality.

To remove the term Christian will be to promote a valueless school and a washed down, essentially valueless, global approach to morals.

Educational institutions generally lack an atmosphere of moral or spiritual values. Discipline is gone; honesty is at a discount; good manners are outmoded. Intolerance is esteemed and taking and not giving is the rule.

Observations and Recommendations

The Committee perhaps heard from more individuals on this one issue than on any other education related issue. There were many who presented for and against, that is, either leaving the clause as is or removing the word "christian" as a qualifier of the term morality.

Implicit in the discussion of this particular issue is a discussion of the entire value system under which our society and our schools operate or should operate. There seems to be widespread agreement that our schools and our society do not operate under the values that perhaps we should, but there is also a strong feeling that the underpinnings of the society and the direction given to this society through our constitution and the institutions that form its underpinnings are of a very clear and explicit nature. Fundamental to that is adherence to a view that our beginnings and our destinies are directed by a divine guidance and that the values that we inculcate in our young and that we direct our lives by must be of a constant and eternal nature and not subject to erosion by the current notion of relativism.

The Committee reviewed the report of the Ministerial Inquiry on Religious Education in Ontario Public Elementary Schools (The Watson Report) issued in January, 1990. In examining this issue, there were three basic areas of concentration. The first was "the identification of the needs of children". The second was "the nature of the society in which the children will find themselves". The third significant issue was determining "the potential role or significance, if any, of some form of religious education in meeting the preparation needs of children for their adult roles in society." It was noted that "without religion, it is not possible to fully understand life or to appreciate many of the experiences in life, such as those involving art, music, or literature."

"Any genuine religious reformation must come out of the family and from religious institutions rather than from the public schools. All that the public schools can do is to develop a broadly empathetic study of the religions of mankind and an understanding of how religion operates in human life." The report concluded by suggesting that there were two alternatives for choice. "One is to rescind the existing regulation regarding religious education and remove it completely from the curriculum. This enquiry has gathered no substantial information that supports such action, and strongly recommends against such a decision. The other alternative is to address the issue with the intent of implementing an appropriate program of education about religions that will enhance the educational development of children and prepare them for their adult lives in a pluralistic society." A copy of the summary of recommendations from the Watson Report is appended hereto as Appendix G.

There is concern respecting the legal position of a clause that directs teachers to inculcate a respect for christian morality in school children who may not subscribe to the christian religions.

It is noteworthy that the Canadian Charter of Rights and Freedoms begins with a preamble that states "Whereas Canada is founded upon principles that recognize the supremacy of God and the rule of law."

This is an extremely sensitive issue. The Committee in making its recommendation is cognizant of the wide range of views prevalent in our society on this particular issue and its implications. We are also cognizant of the fact that in our public school system, on such issues, without compromising fundamental values in any fashion and indeed in the course of attempting to strengthen those values as important aspects of learning, there must be no element of exclusion. Rather, the principles upon which we found our sense of direction must be of an inclusionary nature.

Attached hereto is Appendix H. It is a review of the applicable law under the Charter of Rights and the possible implications that the current State of the Law has for the current wording of Section 54 (e) of the Education Act. It is the view of the Committee that the supreme law of the land, the Charter of Rights and Freedoms must be observed in the context of any review of the law. Any redrafting of the law must attempt to abide by the provisions of Charter of Rights and Freedoms. There is little doubt that the current provisions offend the Charter and could be successfully challenged.

At the same time, the Committee is not content with merely removing the term "Christian" as a qualifier of the term "morality". Merely removing the term "Christian" could result in absolutely no standard at all for the term "morality".

The Committee recommends:

1. **That Section 54 (e) of the Education Act be amended to read as follows:**

   S. 54 It is the duty of a teacher in a public school to:

   (e) encourage in the pupils by precept and example a respect for freedom of conscience and religion and the principles that recognize the supremacy of God and the rule of law upon which our Nation was founded, for truth, justice, love of country, humanity, racial equality, industry, temperance and all other virtues.

It is hard to imagine a duty directed by legislation to a teacher in our public schools of greater importance than that stipulated by Section 54 (e) of the Act.

2. **That this sub-section be the first duty of a teacher and appear as Section 54(a) of the Act. It would be followed in order by the other duties of the teacher as set forth therein or as amended.**

3. **That other subsections of Section 54 be reviewed to ensure that there is conformance with Department of Education policy, the public school program and the recommendations of this Committee. For example, Section 54(i) requiring a teacher to report to the inspector should be deleted.**

4. That the Department of Education consider, as part of the CORE program commencing in the elementary grades, the provision of an ethics program as a separate course or as an integral part of other course material now being provided.

Section X

SCHOOL CLOSINGS AND THE AUTHORITY TO DETERMINE SCHOOL CLOSINGS

Submissions

1. Value of Community Schools

There is a value to small community schools that is quite independent of money.

Closing of schools in some communities can be devastating for the community and the students. In some rural areas, closure of the community school can mean busing children for long distances every day.

There should be a moratorium on school closures. We must find ways to retain and improve a community-based education system.

Our rural communities are truly distinct societies.

Multiple grading is an option, a viable option, in rural schools.

Community development is the key to solving many of the problems facing education today. Some communities are prepared to take very real action in preventing school closures. And in some cases will not permit rural schools to be closed.

There is a general deterioration in education that is very complex in origin but results in high levels of illiteracy, little initiative and serious social and psychological problems. Closing small schools and constructing large education centres will only aggravate those problems.

Community-based schools are very important. Community volunteers should be able to assist in the school repairs and the development of playground facilities. Many students require tutorial help. A mechanism should be in place to allow community members to help students needing assistance. Communities that are rich in music and art should be able to use the school facilities to educate and inspire youth. Appropriate arrangements should be made with the unions to allow these things to happen.

School closings create disruptions, uncertainties and emotional turmoil in the local communities.

Decentralization of power is most desirable. Education control must be brought closer to the community.

Schools with excess capacity should be modified to accommodate appropriate community needs and purposes.

Small schools are being closed to save dollars in the short term. However, there are issues of higher dropout rates, reduced quality of education and negative social impacts on students when schools are consolidated. School closure should only occur after all options have been explored and discussed with parents at public forums.

Some of the advantages of small rural schools are offset by the broadening and enriching experiences of the larger schools.

We "ignore a rich array of indigenous teaching resources in favour of unionized professionalism". Our education system is failing our students. We must move toward a more humanistic, relevant community-oriented approach to education (Marguerite Forks Home and School Association). There should be some flexibility in the core program to allow for community resource-based courses.

2. A Community Decision

School closings can be a contentious issue. Long-term planning is an essential component of providing the best use of school facilities and must be a consideration with respect to school closings.

School closings require advance notice to the public. In cases of school closing, a school review committee should be struck and such a committee should include parents of students in the school under review. Such a committee of parents, superintendents, school boards, and principals could present a report to the community served by the board.

The public should receive at least two years notice when a school is under review for closure.

School closures should be done only pursuant to a policy that required extensive review, public participation and timely notice.

In considering school closings, what is in the best interest of the children must always be considered.

There must be a School Board closing policy with procedures for all boards.

There must be a policy in place which clearly outlines the process of school closure and allowance for full public input similar to the guidelines published by the Minister.

The Halifax District School Board uses an area review committee comprised of representatives of the various stakeholders to assess an area's ability to "provide an effective opportunity for students to obtain their fullest potential and a cost which is reasonably consistent with the system costs." Such a committee could examine single versus multi-grades, the extent of facilities, the state of repair of buildings, the delivery of special services, working conditions and the like.

3. A School Board Decision

The local School Board is the best authority to determine school closing. The present policy guidelines suggested to Boards by the Minister of Education are excellent and should be mandatory for all Boards to follow.

School closures should remain a Board responsibility free from political interference.

School Closing: This is a matter between the Board and the Minister. Once the core program is in place and funded by the formulas, then any redundant schools would be funded 100% by local district taxpayers.

School closing should be at the discretion of the Superintendent of Schools.

School Boards should decide on the closing of schools. If parents demand that a school remain open, they must be prepared to provide the additional financial assistance or reduced service.

The provincial government should not interfere with local school board's decisions regarding school closure unless the government is prepared to provide additional resources.

4. Or a Provincial Decision

A school board should identify any schools they feel must be closed and then should be required to consult with the Department of Education to conduct a full study of all ramifications relating to that school closure. The Governor in Council or House of Assembly should have the final decision on school closure.

Before a school is closed the Minister of Education should be satisfied that no other alternative exists.

The ultimate authority to close a school should rest with the Minister of Education. The prerogative of a Board to exercise temporary closure must be respected by the Minister.

5. Financial Consideration

"Closing schools is an emotional issue yet after a year or two everyone tends to forget about them. In Kings County we had 123 schools, we now have 24. It does not make sense to have schools with so few students." (George Walker)

School closures and amalgamation are not solutions to the financial problems facing education. There is a cost in construction of central schools and there is a price to be paid by students who become "alienated by long bus rides and large institutions". Parents are detached from community involvement in schools. Rural communities suffer loss of definition and focus.

The provincial funding formula is insensitive to a community's specific needs and characteristics.

It is not easy to close schools. If the Government wants small schools the Government should fund small schools. Is a school of 7 - 12 students viable? Closures, however unpopular, may be a necessity. There should be statutory provisions clearly identifying the conditions under which a school board may pursue closure.

Municipal authorities and the Department of Education should co-operate with other government departments such as the Department of Recreation and the Department of Development for the conversion of excess school capacity.

The "stark reality" regarding school closings is that sometimes there is no choice.

In order to achieve financial rationalization, it is sometimes necessary to restructure a school system involving such things as the comprehensive shift in boundary lines, transfer of hundreds of students from one school to another, teacher transfers, a significant change in teacher assignments, changes in bus routes, changes to grade level designations, the reduction in the number of administrators, the reduction in teaching positions and the closure of schools.

Enrolment declines, funding reductions and physical condition of schools are the most obvious reasons for school closures.

Some school districts are poorly managed from a cost effective point of view.

Observations and Recommendations

There was a consistent theme presented to the Committee with respect to this particular issue. School closings can be an intensely emotional and upsetting experience for communities that face the possibility of losing their community school. It seems that when communities face this, they face the loss in many cases of an essential part of their identity as a community. A unifying force, a sense of ownership and pride, a focal point for activities is lost.

On a more individual level, the closing of the community school generally means that students who never required busing before will face busing. Most, if not all students may well face lengthy periods of busing everyday. Again, on an individual basis, students who leave small community schools, with a scale in size and proximity to their home environments which provides them with a greater sense of security and sense of identity, lose something of that when they go to the larger regional schools. Student discipline problems increase with the size of school. Problems of misbehaviour and student self-esteem tend to increase with the size of the school. There are many good reasons not to close community schools.

On the other side of the coin, many community schools may not be financially viable and even when they are given a certain configuration, they may well lack enriched programs which are available at larger schools. There are some very significant trade offs. What is apparent is that when a decision is being contemplated to close a community school, the communities themselves must receive ample notice, must have an opportunity to be consulted and to participate in the decision and the decision should be made at the local level.

When considering the process, it was suggested to the Committee that there be a specific notice period provided to a community well in advance of a possible closure. When a school board is contemplating a school closure, the interested parties should be notified as soon as possible. Whether that notice period should be two years or even longer might well depend on the circumstances. It is appropriate that a minimum notice be imposed on any contemplated school closure due to declining enrolments or financial considerations and that the notice period be at least one year prior to closure.

Policy guidelines presented by the Department of Education in the spring of 1991 outlining a procedure for closing schools was broadly endorsed by presenters. At least five school boards currently use this policy as a guideline. Two general approaches can be taken to this particular issue. One is to allow boards to make their own decisions, subject to appeal to the Minister of Education in any given instance by members of the community. The other is to allow boards autonomy in the allocation of fiscal and monetary resources within their system. It is the view of the Committee that the latter approach should be taken so that local districts can decide themselves the best way to allocate resources within their districts. At the same time, there must be some uniformity of approach to resolving such issues mandated Province-wide.

Therefore, the guidelines indicated by the Minister of Education or such other guidelines as may be approved by a school board in the form of a bylaw, requiring the approval of the Minister which guidelines should not be inconsistent with the Minister's guidelines with respect to school closure should be mandated Province-wide. In any district where the school board has not passed a bylaw encompassing guidelines for school closures then the Minister's guidelines should be in force and effect. In any instance where a board wishes to pass a bylaw providing for guidelines respecting school closure, then such guidelines may be less restrictive but not more restrictive than those approved by the Minister.

The Committee recommends:

1. **That the Department of Education institute Province-wide minimum guidelines with respect to school closings and how they may be carried out.**

2. **That the by-law making authority of school boards to be contained in the Act provide that school boards may make by-laws with respect to school closures which by-law shall meet the minimum provincial guidelines.**

3. **In the case of the school board that does not have a by-law, then the minimum guidelines as mandated by the Province would govern.**

4. **Subject to the by-law and or the Provincial guidelines, it would be within the exclusive power of a school board to close a school.**

Section XI

PROVISIONS RELATING TO ACADIAN SCHOOLS

Submissions

1. The Charter of Rights

Under Section 4 of the Education Act, the language of the child is a determining factor for admission to an Acadian school. However, according to Section 23 of the Charter of Rights, the citizens whose first language is the language of the minority is the determining factor.

Assimilation is an ever present threat.

In March 1990, the Supreme Court of Canada ruled in the Mahe case that minority language parents not only have a right to French education but also have a right to the management and control of French educational facilities.

In 1991, Nova Scotia laid the groundwork for the creation of the conseil d'ecole.

There is a constitutional right for changes that will grant Acadians and Francophone parents the right to French education for their children, the right to Acadian and French schools and the right to management and control of those schools.

The Education Act of Nova Scotia should be in accordance with the Canadian constitution and protect the rights of French speaking Canadians.

2. The Education Act

Acadian Schools: There must be a clear definition as to what is an Acadian School and how it differs from the rest.

The Education Act should be amended to conform with Section 23 of the Charter of Rights. The Advisory Committee on Acadian Schools should be the vehicle to propose changes to the Education Act.

Nova Scotia has made considerable progress in the field of French language instruction over the past ten or more years. We still have a long way to go.

The philosophy behind any new education laws in Nova Scotia must be one of vision and commitment.

The Education Act should be amended to provide that requests for an Acadian school be made by parents directly to the Minister of Education.

The Education Act should be amended so that eligibility criteria for an Acadian school include parents who are entitled pursuant to Section 23 of the Canadian Charter of Rights and Freedom in addition to children whose first language learned is still understood in French.

The Education Act should be amended to include the following definition of an Acadian school:

> "An Acadian school is the school where the language of instruction, of Administration, and of communication is French and, in which children have access to a French curriculum, except for the English Language Arts course which begins in grade 3."

In 1981, Bill 65 established Acadian schools. It officially recognized the needs of Nova Scotia's Acadian population. In 1991, Bill 147 brought us another step forward.

The French community supports the concept of charter schools for Nova Scotia's Acadian and Francophone population. Charter schools are the key to the linguistic and cultural survival of Acadians and Francophones in the Province. Bill 200 is too restrictive in scope. The existing law creates two separate systems; one system for Acadians and one system for Francophones. Francophones may have the charter school, Acadians may not.

Where numbers warrant, children of entitled parents anywhere in the Province should have the right to French language instruction and a conseil d'ecole.

The Acadian school system does not provide the linguistic minority with the same rights as does the charter school. This is unacceptable. The law must grant the same rights to Acadian parents as it does to Francophone parents.

Parents should have the right to request the establishment of an Acadian school rather than the current law which requires the recommendation of one or more School Boards.

The conseil d'ecole should not be excluded from the "area of jurisdiction of an Acadian School Board" as currently stipulated in the Act.

3. Finances

There is a danger of damaging community relations if segregated schools are established and one sector of society is seen to be receiving special handouts.

Special support for the viability of Acadian schools should be provided.

The acquisition of a second language, French, must remain a high priority in Nova Scotia. Perhaps special funding should be provided to English schools to allow for French language instruction.

Equal funding should be made available in both Acadian and English speaking schools.

There is considerable federal funding that is available to Provinces in the development of French language programming that is not being accessed by Nova Scotia. The official language and education (OLE) funding is an essential incentive for school boards who wish to initiate new immersion programs that must be fiscally responsible.

Funding is the major obstacle to French immersion programming.

Acadian schools should be provided for and subject to the same treatments as other schools.

Special funding is required for French language education. Start up costs, texts costs, supplies and materials. Additional funds should be available to any Board offering program opportunities in Acadian education. The amendments to our Education Act and system, the proper vehicle to which bilingual and bicultural goals can be met.

Acadian Schools should be program funded.

The additional 5% adjustment factors for Acadian districts provided to school boards has become an integral part of some School Boards' funding and has been used to support staffing and programs throughout a district. If such funding is restricted for use in the Acadian program, it will place in jeopardy the provision of other programming in the district.

4. Support for French Education

French immersion should be offered for those parents who want it for their children.
A poll conducted by Environics Research in 1990 showed 81% of Nova Scotians want their children to learn French.

"In Canada there are nearly 300,000 students in French immersion programs...'A pedagogical phenomenon - unprecedented in the Western World.'"

In Nova Scotia we have the lowest percentage of children enroled in immersion.

The lack of French immersion education is a deterrent to relocation of some families in Nova Scotia. There is an increasing desire to have School Boards provide a superior level of French programming in all our school systems.

More than two million students are learning French in Canadian schools through the core/basic French program. In the last 12 years, enrolment in French immersion has increased by some 650%. In the current school year there are over 288,000 students in French immersion programs across Canada.

There are now only five district School Boards in the Province that do not offer some type of immersion or intensive French in Nova Scotia.

Surveying by the Canadian parents for French Dartmouth Chapter indicated a strong support for French immersion in Dartmouth city schools. Trustees could continue to play a role in the education system in a role similar to that of an ombudsman serving as the link between school board administration and the public.

5. Curriculum

English students should start French instruction at Grade 3. More money for immersion programs is needed. French education is more expensive to provide. There is increasing interest in French immersion education programs in our schools.

First and second language learning is an integral part of our education system. It is not a frill or a luxury.

The time has come for all Acadians and Francophones to have access to a full range of French programming through the entire curriculum.

Legislation is not required regarding Acadian schools. What is necessary is curriculum materials, course requirements and additional resources to provide for the cost of running Acadian schools. A Committee such as this to deal with educational concerns has been needed for a number of years.

Seventeen School Boards have immersion programs at this time. Immersion does two things concurrently. The student learns the required curricula and the second language at the same time.

The teaching of French should begin in primary in all schools of Nova Scotia. Where numbers warrant, Acadian schools should be available.

6. The French Community

School boards must recognize their duty to "respond to client driven demands."

Parents seeking to validate their minority rights should not have to go through an English speaking School Board.

All Francophones in the Province should be able to govern the educational institutions that provide their children with instruction in French as their first language. In-services for teachers should be held in the summer. Reports of these should be made public.

There are thousands of Nova Scotians of Acadian ancestry who live in different regions of the Province whose language usage has been eroded over time.

Many children of Acadian ancestry are denied access to programs.

The Acadian community has had to carry on the battle of assimilation.

Some young Acadians have not been able to take part in French language education in their schools.

Observations and Recommendations

The Education Act currently makes provision for French education in Nova Scotia in several ways. Under Section 4(c) the Education Act, the Minister may designate an Acadian district and make provision for the operation and support of the Acadian district. Currently in Nova Scotia, there are three Acadian districts located in Clare-Argyle, Richmond and Inverness. There is no designation under the Act currently for an Acadian school board although in practical jargon an Acadian school board is a board that has jurisdiction over an area that has been designated as an Acadian area.

The Act further provides that the Governor in Council may, upon the request of one or more school boards, designate an Acadian school. It may determine the responsibilities of a school board in relation to that school. Section 5(3) provides that the principle language of administration of an Acadian school and communication of an Acadian school with the community it serves shall be French.

In addition, by legislation passed in 1991, the Education Act now provides for conseil d'ecole. Pursuant to Section 5(5), the Governor in Council may "where numbers warrant, provide for the establishment of instruction and, where numbers warrant, educational facilities, for the provision of instruction in the French language for the children of entitled parents," and may make regulations pursuant to that.

The provisions with respect to the recent amendments to the Act providing for a conseil d'ecole mirrors the rights mandated by Section 23 of the Canadian Charter of Rights and Freedoms with respect to minority language education. Those rights are clarified by the Supreme Court of Canada decision in the Mahe case.

Schools governed by a conseil d'ecole pursuant to the laws that now exist in Nova Scotia are administered in all respects by the parents of the children attending the school. Although they might choose to do otherwise, the reality is that the language of administration, operation and instruction would be French and the only provision for English in the school system would be the provision of an English language arts course as the second language course.

With respect to Acadian schools, the minimum French curricula is determined by the Minister.

With respect to the language of administration and communication, the language used in Acadian schools within an Acadian district, would be whatever the school mandated.

Clare-Argyle District School Board is an Acadian school board and operates Acadian schools in its district. That board administers an area whose population is dominantly French or Acadian background. Nonetheless there is a significant English population within the board district. Ethnic English or other non-French ethnic groups exist in the community and could be elected to the school board.

One of the significant issues the Committee must deal with is whether the provisions of the Education Act that provide for Acadian schools in Acadian districts is contrary to Section 23 of the Charter of Rights and Freedoms.

Appendix I appended hereto is a legal opinion provided to the Committee with respect to this particular issue. The Committee is of the view therefore that the existing legislation may be in conflict with the Charter of Rights in certain particulars.

There is considerable support for French language instruction in Nova Scotia. However, Appendix J indicates that Nova Scotia trails most of the country in the provision of public school population enroled in French immersion courses.

Canada has a distinctive linguistic duality. Speaking of this the Honourable Gerry Weiner said "In this period of our history, we sometimes hesitate between what divides us and what holds us together. We need to take a few moments to reflect upon one important fact: that those Canadians who feel positive about our official languages far outnumber the nay sayers. This is the first step towards mutual respect. Each one of us must continue to make our country ever more tolerant and open to a world where the borders are rapidly disappearing." There is little doubt that most Nova Scotians recognize the advantages in providing French language instruction for their children.

French language education can be organized in different ways in the Province. One option is to designate a conseil d'ecole for the entire Province as is the case in Prince Edward Island. It is possible too to designate a conseil d'ecole for particular schools but also to embrace conseil d'ecole within existing school boards whether they are Acadian school boards or not.

Finally, the Committee was urged to confirm the status of funding for Acadian schools within Acadian districts.

The Committee recommends:

1. **The existing legislative provisions of the School Boards Act with respect to the rights of entitled parents be reviewed and if necessary amended to conform with the Charter of Rights and Freedoms.**

2. **The particular concerns of the Acadian community related to the control of the administration and language of instruction in schools in their communities be referred to the Advisory Committee on Acadian Schools for the purpose of proposing necessary legislative changes to allow for the provision of instruction in the French language for the children of entitled parents so long as such provisions do not compromise the viability of existing Acadian school boards.**

3. **That the legislation be amended to provide that the Governor in Council may designate an Acadian school without receiving a request from one or more school boards.**

Section XII

THE INCORPORATION OF ANTI-RACIST PRINCIPLES AS A KEY ELEMENT OF THE PHILOSOPHY OF EDUCATION AND WHETHER SUCH PRINCIPLES SHOULD BE MANDATED BY LEGISLATION OR INCLUDED IN CURRICULUM GUIDES

Submissions

1. Role of Education

"The educational system should be a place where different cultural traditions are supported and valued and where understanding is fostered as special difficulties are faced by historically disadvantaged students".

Consideration of anti-racism should constitute an integral part of day to day education.

In the area of anti-racism, practice is what matters not statements.

As the Mi'Kmaq Alliance stated "education is the most powerful tool to combat the ugly world of racism."

The Advisory Group on Race Relations recommended to the provincial government that the Nova Scotia Department of Education "incorporate anti-racist principles as key element of the philosophy of education and that these principles be reflected in major documents such as the Nova Scotia Schools Act and all curriculum guides.

Public consultations on anti-race relations policy for Nova Scotia continue to stress the word "education".

"Multicultural/anti-racist education, then, is the business of all teachers, in all schools."

"The long-term goals of multicultural/anti-racist education are to promote a level of awareness, understanding and respect that would reduce the likelihood of prejudice and discrimination, and identify the advantage of eliminating discrimination from the education system. It is through education, through the renewal of commitment, that educational and societal advantages for all can be guaranteed."

Without appropriate role models in designated areas of the education system there will continue to be dropouts and low self-esteem.

Anti-racist principles should be an integral part of the philosophy of education.

Anti-racist education effectively identifies and changes institutional policies, procedures, culture and values as well as individual behaviours and practices which have a discriminatory impact on individuals or groups with non-dominant identities.

Education is the basic tool for the development of society and therefore anti-racist education is important.

2. Racism in Curriculum

Finding a black woman in the Canadian history book - other than Harriett Tubman -is a virtually impossible task.

3. Racism in Schools

Concern has been expressed that ethnic and racial groups are not properly represented in the Nova Scotia teacher population.

Staff at all levels in the school system do not take race problems seriously. There is a real issue of sensitivity. Streaming has an effect on self esteem and self confidence. Some minority groups view themselves as generally incapable of full participation in the academic education system. There is a stereotype that certain ethnic groups are not capable of obtaining high academic standards. Curriculum has a very important role to play in awareness raising and sensitization. Role models are important and unfortunately do not exist in sufficient numbers in our school system. In relation to discipline, it is the responses of a racial minority child to given situations may reflect the culture of the child and where it manifest in aggression must be sensitively dealt with. It is particularly difficult when there is a perception that aggression as a result of racial taunting results in different levels of punishment for the taunter and the defensive response by the racial minority child. The taunters are seldom disciplined.

Currently the Shubenacadie Band Council pays $4,341.24 tuition fee per annum for each student attending school. Yet this money does not finds its way into a specific use for Mi'kmaq children.

When black students form the majority of the population and there are no black teachers this raises very serious questions in the young person's mind.

No statistics have been prepared in Nova Scotia but a look at the Boston Public School System indicates that there is much higher ratio of suspensions of minority students in the school system and a much higher dropout rate of minority students. Suspending students sends them a message that they are not wanted in school. "Self-esteem is the most important ingredient in the overall education of children. This includes minority children. Our education system must admit that mistakes have been made if we intend to correct them ..."

"Non-white female students face a double discrimination of sexism and racism."

4. Racism in Society

Integration has had a negative impact on First Nations peoples. To quote from Noel Knockwood "Unless the Indian child learns about the forces which shape him: the history of his people, their values and customs, their language, he will never know himself as a human being. Indian culture and values have a unique place in the history of mankind. The Indian child who learns about his heritage will be proud. The lessons he learns in school should reinforce and contribute to the image of himself as an Indian." "... School curriculum must recognize Indian culture, values, customs and the Indian contribution to Canadian development. Courses in Indian history and culture will promote pride in the Indian child and respect in the Indian student."

There is a Minister for Aboriginal Affairs and a Minister for Acadian Affairs but there is no Minister for black concerns. This sends a message to black Nova Scotians that their concerns do not merit recognition by provincial leaders.

"We are aiming for a society free from bias, prejudice and intolerance."

Education both in and out of school is a key to the elimination of racial discrimination.

Racism exists in the education system because it exists in society. Racism can be caused by malicious intent but it is also caused by "concrete historical, social, cultural, political and economic factors; racism can be conscious as well as unconscious;"

5. Solutions

We should not get into particularistic anti-racism. We should adopt a program which teaches respect, toleration, understanding and non-violent conflict resolution. We cannot engage in dealing with each and every ethnic group.

The Nova Scotia Human Rights Commission is a resource which could be used more frequently by schools in the Province to promote an awareness in multicultural issues.

We must recruit greater numbers of black teachers and school guidance counsellors, particularly women who face double discrimination. Teachers and guidance counsellors are important role models but in addition can bring an understanding of racism to the classroom. Streaming would appear the result in a greater percentage of non-white students ending up in general rather than academic stream.

Anti-racist principles - the statement should be extended to include race relationship, cultural understanding and human rights. See Section 15 of the Canadian Charter of Rights and Freedoms. A more pro-active initiative by the Department of Education on a policy of race relations is required so that Boards can model their policies on that of the Department.

Funding from the Secretary of State provided to two junior high schools for the establishment of multi-cultural clubs as an extracurricular activity was well received.

The Halifax County Bedford District School Board has done significant work in the area of race relations. A Province-wide policy on race relations is required. Such a policy should be mandated by legislation and supported by the curriculum guides.

Each school board should have a statement of policy on race relations and multiculturalism to apply to their district.

There should be an aboriginal delegate on the school board. There should be an aboriginal teacher on staff.

There should be re-education of teachers in cultural awareness.

Regarding anti-racism and multicultural education, there must be an affirmative action hiring policy.

The Multicultural Association of Nova Scotia makes the following recommendation that multicultural/anti-racist education principles to be legislated:

(1) "That every individual has a right to be educated in a school system that is free from bias, prejudice, and intolerance.

(2) That school programs and practices be developed that will promote students' self esteem, and help students develop pride in their individual cultures and heritages.

(3) That multicultural community groups be actively involved in shaping policies and practices in schools.

(4) That multicultural community groups be involved in school text book evaluation, where this evaluation will ensure the authenticity and veracity of the contents of textbooks whose intent is to educate the students about cultures and ethnic traditions.

(5) That every School Board in the Province of Nova Scotia be encouraged and supported in developing a multicultural/anti-racist education statement with guiding principles. The Department of Education should provide consultation on major policy issues in this area.

(6) That the Department of Education ensure that educators attend mandatory information sessions on multicultural/anti-racist education curriculum development as well as the use of guidelines to detect bias and stereotyping learning materials.

(7) The School Boards in the Province of Nova Scotia be empowered to take appropriate action when multicultural/anti-racist education principles are undermined by staff, students or visitors to the school.

(8) That School Boards in the Province of Nova Scotia strive to place teachers of visible minority of an ethnical and cultural background within communities with a high number of members of those minorities and cultures. This will ensure that children are provided with strong, positive role models."

Provincially, the Department of Education has not developed a race relations policy. Two school boards have done so and other boards are actively researching and developing one. The Department of Education must take an immediate role of leadership in this issue.

It should be written into the new Education Act that "the teacher has a positive duty to inform him/herself concerning the contributions to Canadian life and history of the cultural, ethnic, religious and linguistic groups represented among his/her students." Students should "know that 'the real McCoy' was a superior kind of bearing invented by a Nova Scotian black, that Champlain's interpreter when he arrived here, was a black who also spoke Portuguese." Such treatment applies to all ethnic groups including Scots, Irish, Acadians, Lebanese, German, and English.

Anti-racist principles do not have to be included in curriculum, but teachers who display anti-racist behaviour should be removed from the education system.

6. Curriculum Changes

School board curriculum material should be examined for bias, particularly historical texts which portray non-whites in a stereotypical or limited role.

Anti-racist education should be in curriculum guides and mandated by Legislation.

Minority groups can be taught with the proper curriculum materials by teachers who are not necessarily of that group.

The Nova Scotia Advisory Council on the Status of Women recommended: "...(3) That the Department of Education conduct an in-depth review of the guidance program in Nova Scotia schools to see where it is and is not meeting the needs of students and how it can be improved. In particular, sexual, racial and class biases on the part of the counsellors, and the programs offered, should be examined and eradicated; (4) That the Department of Education develop Province-wide policies that Boards and Principals will be required to follow in the establishment of a comprehensive guidance program for students; (5) The teachers who are delivering the PDR program in the classroom be required to demonstrate a sensitivity to the issues involved, and an openness to debate and discuss differing points of view. In addition, mandatory workshops, seminars, or training sessions must prepare teachers to deal with the subject in a more comprehensive manner;".

7. Statutory Changes

Anti-racist principles must indeed be a key element in the philosophy of education. These principles must be not only mandated by legislation, but included in curriculum guides and considered when teaching aids chosen for use throughout the Province.

Anti-racist principles should be mandated by legislation because that is the only way certain individuals will take them seriously.

Anti-racist principles should be incorporated into the Education Act and other official documents and publications of the Department of Education. This should lead to improved race relation policies. The Department of Education should provide leadership in the development of such policies that "reflect the philosophy and intent of anti-racist principles".

There is a lack of uniformity in schools in this Province. "The variation in the development and implementation of anti-racist policies is just one example of an overriding problem of lack uniformity in the schools in this Province. It results in major discrepancies in quality of education across the Province, from one school to another or from one school board district to another."

Multicultural/anti-racist education legislation should include equal access for First Nation People, blacks and all ethnical cultural groups to participate fully, economically and socially in Nova Scotia.

This legislation could be an education policy or part of the Nova Scotia Race Relations Act.

The term multicultural should be used in conjunction with the term anti-racist education. Multicultural/anti-racist education principles should be incorporated as the key element of the philosophy of education and these principles be reflected in major documents such as the Nova Scotia School Act and all curriculum guides.

The particular section of the Act should read "It is the duty of each teacher to cultivate in the student, both by precept and example, respect for the qualities, needs and essential dignity of all persons."

Anti-racist principles should be a key element of educational philosophy in the educational institutions of Nova Scotia.

Observations and Recommendations

An excellent presentation was made to the Committee by the Mi'Kmaq Cultural of Alliance, Hants East Rural High School. The alliance is a fellowship of native and non-native people fighting for the creation and promotion of an education system where racism is annihilated and cultural understanding is innate and visible.

The alliance noted that racism is belief that a particular race, especially one's own, is superior to other races. Racism knows no boundaries. It can stem from many sources, family, peers and the ideas of society. The duration of hurt from racial slurs and taunts is not as great as those from the more passive forms of racism found in government and educational institutions. Such racism is founded in the neglect of people's needs and the denial of the value of their cultural and heritage. Racism scars one's self-esteem, removes job opportunities.

The lack of an aboriginal role model is a cause of dropout rates. Before 1973 - 1974 there was no record of an aboriginal graduate at Hants East Rural High School. At the present time approximately 83% of First Nation students dropout before completing grade 12. Teachers questioned indicated that the lack of sufficient material concerning aboriginal peoples discourages aboriginal students. First Nations people look for an active place in the education system. It was noted as part of the presentation that "no educational program can be successful and, it follows, no society can be successful where the people most directly concerned and effected have no voice whatsoever in their own education ... "

It was a recommendation of the Alliance that there be a provincially funded Grade 10 pilot course at H.E.R.H. made available in the curriculum which would deal exclusively with the Mi'kmaq. It will encompass Mi'kmaq history, culture, language, folklore, sociology, and economics. It would be an elective course taught by a First Nations teacher.

Cecil Wright, a student support worker at an inner city junior high school, made a presentation to the Committee. Funding for the position was made possible by C.E.I.C.'s Stay in School initiative. The role of the support worker is to assist students, parents, community and administrators. Mr. Wright commented that when a young person of colour does not see any representation of race in the authoritative learning environment, it leaves many unanswered questions. He also said they use an in-house suspension room under the guidance of the student support worker at the school and that teachers should teach while discipline problems should be dealt with alternatively.

Few School Boards in the Province have a policy statement on race relations. A number of other Boards are currently working on such a policy.

The Multicultural Council of Nova Scotia is currently preparing an anti-racist education kit for use in schools in Nova Scotia. This will be of obvious benefit to teachers, students and is work the Department of Education should be familiar with in the course of making appropriate curricular changes.

This is an issue that must be handled in a very sensitive fashion and it is important that all sides of the issue are carefully looked at in dealing with these difficulties. It is important that teachers undergo in-service training to learn how to deal appropriately with curricula and situations within the school setting.

It is vital that the Department of Education develop a policy on racism which would have Province-wide application. In this regard the leadership of the Halifax County Bedford District School Board and other boards that have either adopted or are in the process of adopting a policy on racism in their school systems should be applauded and their work utilized for the benefit of the Province.

It is apparent that racism is overt and covert. It is conscious and unconscious. It is an area of concern of vital importance to the education of our children and the education of society and to our abilities to mature as a society and as a nation. It must be discussed openly and honestly. It must be discouraged at every turn and it must be dealt with sensitively. With the right attitudes and statutory, policy and curricular changes, there is great hope for all Nova Scotians both in and out of the school system in the area of race relations. The fundamental importance of anti-racist principles and their integration into the curricula of the Nova Scotia school system will be felt in later years as our children graduate and become the opinion leaders of our society. Its results may not be felt immediately but handled in a comprehensive, positive and constructive fashion, its results will be felt and will ultimately determine the day.

The Committee recommends:

1. That the Department of Education develop a policy on racism and race relations for the Department of Education and the school system;

2. That anti-racist principles be incorporated into the philosophy of education and such principles be incorporated into the Education Act and curricula. That such principles include the specific promotion of inter-race relationships, cultural understanding and multiculturalism. That the following specific recommendations of the Multicultural Association of Nova Scotia with respect to multicultural/anti-racist education principles, which should be legislated, are endorsed:

  (1) That every individual has a right to be educated in a school system that is free from bias, prejudice, and intolerance.

  (2) That school programs and practices be developed that will promote students' self esteem, and help students develop pride in their individual cultures and heritages.

  (3) That School Boards in the Province of Nova Scotia strive to place teachers of visible minority of an ethnical and cultural background within communities with a high number of members of those minorities and cultures. This will ensure that children are provided with strong, positive role models.

3. That it is specifically recommended that the Department of Education review curriculum requirements to determine the appropriateness of providing a grade 10 optional course to be made available in the schools in the appropriate school districts, where sufficient numbers of Mi'Kmaq children reside, which course would deal with all aspects of the Mi'Kmaq culture including history, culture, language, folklore, sociology, and art, such course to be open to all students at such a school whether of native or non-native origin as a credit but non-core course.

4. That the School Boards Act be reviewed to determine the appropriateness of providing a guaranteed seat on a district school board for a representative of the Mi'Kmaq community in those districts where numbers warrant.

Section XIII

ILLITERACY

Submissions

Reading instruction should be incorporated in all subjects taught. Children should be examined at the end of grades 6, 9 and 12. Testing should be held Province-wide or if possible in the new Canada, nation wide.

There are vast disparities in reading ability for children entering grades 7, 8 and 9 and even greater disparities in grades 10, 11 and 12.

There should be a method of retaining books for longer than one year periods and they should be purchased by students. They could be sold from local book stores and produced in Canada using heavy paperbacks. The respect for books would increase from zero.

Literacy is essential. The vocabularies of the sciences are vital.

Thirty percent of students entering high school do not finish and about thirty percent are functionally illiterate. Literacy has become an obsession and a growth industry. It is time that Canadians including educators were alarmed by illiteracy rates.

We are pouring vast amounts of money into retraining and remediation to little avail.

Determining literacy can be complicated. Definitions abound, but functional illiteracy is definable. The retention rate in Nova Scotia schools is over 90% but that merely masks the illiteracy. The rate of illiteracy in Nova Scotia schools is probably on par with the national average - 30%.

There is a new urgency to pay more attention to the economic impact of education. The aim of every program must be excellence. A system that tries to make everything pleasurable and easy will prevent important learning from happening. On the other hand, we must not compete at all costs. The truth is that there is not a one to one relationship between illiteracy and lack of competitiveness. "Nevertheless, we have ignored the illiteracy problem in Canada for years, just as we have ignored the necessity of competing, in the healthy sense of the word. That necessity has not reached the schools, I fear."

Schools must bear some responsibility for the state of illiteracy.

If we look at high school programs, particularly the general level, it is easy to see why we have a problem with illiteracy. Most high schools have three programs - basic (adjusted), general, and academic. Illiteracy may be found in all three but there are more in basic and general. The general program can be a no man's land, victimizing everyone, paying lip service to literacy. In the general course, they often use a water-downed academic approach, called "a dummied down curriculum". Some general level students are deemed to be stupid when they are illiterate. They are stigmatized. The whole approach makes it more difficult for them to improve their literacy.

Child poverty as a consequence of adult poverty is a large factor in illiteracy. There is a direct linkage between dropouts and socio-economics.

Many teachers engage in survival teaching. Feeding students, dictating, showing movies. Some of these students are treated as though they are incapable of disciplined learning. Teachers have failed often times to enter the world of the illiterate or to show any real commitment or sustain compassion. Then in the 70's a new approach was tried, "don't try to make them readers and writers; give them a set of values and make them better thinkers, although I do not know how this can be accomplished when there is little in one's head." "It is better to concentrate on relating rather than skilled teaching." Student centred teaching, emphasizing personal growth over basic skills is now under attack in Britain.

"What I am saying from the confessional of education is that the responsibility for illiteracy in our schools cannot be placed upon any one group. It is societal and unfortunately you cannot divorce society from education. We are all guilty of the sins of permission and omission. In a world of accountability, we all fall short of the glory. I believe that teachers have the best of intentions but they are as much victims of outside forces as their charges, victims especially of those who thought that they could solve education problems by streaming. In fact, I feel very sorry for teachers; like Huckleberry Finn, I've been there before." (Leroy Peach)

"The ability to read and write has long served as the simple and easily understood criterium of educational progress for individual, community or nation, indeed, for the whole human family......No alternative measure of educational progress remains, other than the length of participation and the educational process itself."

Regarding the "See-saw Debate in Education for the past 40 years over the best way to teach children to read - the whole language system or phonics," it may well be that there is no "correct way" - "You need phonics and whole language to learn to read." (Marjorie Gann, Amherst, Nova Scotia Teacher, February 20, 1992 Globe and Mail).

The Conference Board of Canada suggests that illiteracy costs the nation between 4-5 billion dollars a year in lost productivity.

Two-thirds of new jobs created between now and the year 2000 will require at least Grade 12.

Observations

The total number of illiterate adults in the world, according to Unesco's most recent estimates, peaked at around 950 million just before International Literacy Year (1990), and the number is now falling.

Appendix K indicates the Canada wide reading skill levels by industry and by occupation for adults between the ages of 16-69 both by number and percentages at the relative reading levels.

Appendix L outlines the adult illiteracy and innumeracy rates for Canada and the Provinces. The Nova Scotia illiteracy rate is slightly under that of Canada, while the innumeracy rate for Nova Scotia is 7% higher than the Canada average. Illiteracy is defined as the percentage of respondents who are classified as having Level 1 and 2 reading skills. (See the bottom of Appendix K). Innumeracy is defined as the percentage of respondents who are defined by Statistics Canada as having the ability to, at most, locate and recognize numbers in isolation or in a short text.

Illiteracy is a serious problem in Canada and in Nova Scotia. The issue was raised by a number of presenters to the Committee. It is essential that we identify the extent of the problem in Nova Scotia, determine the appropriate standards that should be expected at each of the grade levels and then ensure that the Nova Scotia School System graduates literate adults from the public school system. There are countries in the world with 100% literacy rates. Canada is not one of them. Nova Scotia should determine that it will be 100% literate and it must start in the public school system. It is too late to start in grade twelve.

Section XIV

COMPUTER TECHNOLOGY

Submissions

Every student in Nova Scotia must have realistic access to computer technology including the peripheral technology of information, storage and communication. Teachers must have models of effective technology use in education with significant in-service programs. Computer technology must be provided for. A multi-year program should be developed and implemented to provide support for the massive installation and use of computers and information technology in the schools of Nova Scotia.

Computer technology in the classroom creates a new learning culture where teachers are learners as well as students. This new milieu reinforces the importance of lifelong learning.

Observations and Recommendations

There are new models of learning available for the Nova Scotia school system to watch and to learn. One of the more innovative and interesting models facing the modern school system is the "high tech, high touch school". River Oaks Public School in Oakville, Ontario is such a school. The vision for the school includes the following:

1) Students develop positive self esteem that enables them to cope with change.

2) Students develop basic literacy skills and acquire the necessary life skills to be productive and competitive in the work force of the 21st century.

3) Students develop a sound body, sound mind approach to working and learning. The curriculum emphasizes the blending of theory and practice. The school day fosters an integrated approach to learning analogous to the real world. Technology provides access to relevant and current information. Sufficient technology is available which will provide access to students when needed and promote the use of technology as a tool element in the context of learning and work. Learning capitalizes on the interactive nature of technology. Technology enhances communication amongst both students and staff in the school (the electronically wired school). The role of the teacher changes to become a facilitator of learning. The teacher adopts new instructional and management strategies that use current technology. An attempt is seriously made to move towards the paperless school.

Unfortunately, technology has not impacted to any real degree on education in Nova Scotia. It is essential that the Nova Scotia school system have the advantage of the appropriate technology. It is difficult to learn about such technologies from a distance. No system of education is perfect. It is always a learning experience but there is little doubt that education without modern technology is not a complete education and therefore not a complete opportunity for Nova Scotia students.

In this increasing technical world, the need for technical equipment for students must not be overlooked even during times of financial restraint.

Yet, computer technology in our schools, if it is to be of widespread application, will require massive infusion of resources. The Government does not have such resources to invest in this technology in a comprehensive and Province-wide fashion. It may be that individual Boards, in partnership with business or their own initiatives (such as the Kings Future Programme) will be able to start the process of acquiring and utilizing these resources as learning tools in the classroom. However, it is not merely a question of obtaining the equipment, it is a question of learning how to adapt this learning tool to a modern education and vice versa. There is learning by educators to be pursued in this field in order to make this equipment and the variety of software work in our education system.

There are a number of models which exist in North America of "high-tech high touch" schools. There are none in Nova Scotia. To gain an understanding in a practical sense of what can occur with the use of such tools, it is invaluable to be able to experience it. It would be useful in promoting the use of computer technology, as vital and appropriate tools in the education of our young people, that Nova Scotia begin now to acquire and adapt this technology to our curriculum.

The Committee recognizes the importance of education tools as an assistance to learning. The Committee is particularly concerned about the need for Nova Scotia to be involved in the leading edge of technological applications in education. Therefore, the Committee suggests that the Department of Education in partnership with two or three School Boards in the Province, so located as to provide ease of access to other Boards and Schools who wish to observe from time to time what is occurring in those schools, acquire the necessary hardware and software and other associated teaching aids and, using existing facilities, create two (or three) high-tech, high-touch schools of learning in the Province. If a Board is prepared to enter into such an arrangement, it may well require resources from the local level, but certainly a committed teaching staff and parental support as well. It is suggested that Elementary Schools be chosen for such a programme.

Section XV

CURRICULUM AND THE CORE CURRICULUM

Submissions

1. Exceptional Students

Bright young minds are a valuable resource and their loss is a tragic waste.

Main-streaming is not the solution for the gifted child.

"Equality of education should not mean intellectual advancement for slow and average learners only." All learners have a right to an education that provides appropriate challenges.

Programming for bright, gifted, or talented children in Nova Scotia is spotty at best and developed on an ad hoc basis.

There is a need to identify the requirements of the "exceptional pupil".

Students with learning difficulties are encouraged to stay in school and take general programs. These courses are viewed as dead end courses by teachers and students alike. This leads to low self-esteem and lack of incentive for students to stay in school. Such programs should be made more rewarding and should not be viewed as dead end. There must be a special emphasis on non-academic courses to deal with that percentage of the student population that does not go to University.

There are a large number of dysfunctional families in our society. These children need extra attention and professional help.

In our centralized school system, because of the busing requirement, there is little time for teachers to be able to work with children who need extra attention and academic help.

Children can start making relevant choices concerning their lives at a much earlier age. Those who are not presently challenged throughout school should be given extra work provided by the subject. Mathematics, for example, can be more open ended so that a large number of children would complete most of the present grades 7, 8 and 9 by the end of grade 6. If they have a special interest or ability they should be allowed to go on.

2. Private Schooling

Parents' right to choose between public and private schools should be protected. Any private school must be required to meet standards set by the Department of Education.

Home study is an alternative for students. However, parents who plan home programs should be required to demonstrate how they are meeting the social development dimension of their child's education. All such programs should be monitored by the Minister of Education.

Allow parents the freedom to choose the school for their children. They are the customers and deserve the option. In Minnesota parents were allowed to choose the school for their children and the state went from 47th to 3rd in national results.

3. Vocational / Alternative Programs

There should be a direct and closer link between schools and community colleges or other places of training for students.

A fundamental rethinking of the function of schooling needs to be a priority for the Department of Education. It is appropriate to consider having community colleges and district Boards co-ordinate efforts to provide a full range of programs and services for all learners.

The public school program emphasizes career orientation and work exposure but not specific training. The public believes vocational training is a part of all school board's responsibility but it is not. There are unrealistic expectations as a result.

The government of Nova Scotia should establish a committee representative of the stake holders to develop, monitor, and evaluate appropriate school programs and services to allow for successful learning by all children in the Province.

In the case of the underachiever, the gap between ability and performance often widens with each year and by high school, the student is moving far below his/her potential.

To abolish vocational schools and substitute community colleges in their place was a grave error. Community colleges require entry levels of grade 12 and encourage dropouts in greater numbers.

"This Select Committee should reinstate the vocational schools as there is also a definite need."

The initiative of the Department of Education in providing basic upgrading courses to enable students of lesser academic ability to access community college programs is a positive step.

After grade 9, students should have the option to go to a vocational type school to learn skills.

We must encourage participation by business and industry in the system by fostering partnerships between schools and business. "People in business and industry should speak with students in grades 9 and 10 before their minds are set."

Is there a role for co-op, shadowing or adopt-a-school in our system? Should business be involved with the curriculum?

Change attitudes regarding vocational education.

Should we look at the career ladder ie. career path? Should children have a career skill coming out of high school?

More programs like the co-op educational program should be available in schools.

Guidance programs should be maintained to help with career orientation.

We have lost intermediate industrial, secondary industrial education and career exploration and orientation programs. These programs served some students extremely well. Vocational courses, programs and schools must be returned to the educational landscape in Nova Scotia.

In order to complete many programs in community college, you must have at least high school completion. You cannot take a grade 9 student and put them in a vocational school and have a success story. It is necessary that a mature element be present.

An essential part of education is personal development and preparation for life skills.

The public school program should be flexible enough to include high school credits for work experience and expansion of work study programs. There should be a better guidance program from primary to grade 10 oriented to career choices and preparation.

Co-operative learning is not all it is cracked up to be. It is often not disciplined and the big pay off is supposed to be increased self-worth as opposed to increased skills. Teachers often lack the abilities to properly teach this method and the inquiry method degenerates into "trading ignorance for ignorance". "In truth, few teachers have in their heads a theoretical underpinning to make co-operative learning work." Much in-service training is needed to make it work. A student centred approach within multi-level classes is a particular problem.

Vocational

Pre-Vocational programs should be offered in public schools and in community colleges. There should be expanded use of computer aided instruction where appropriate. There should be ongoing analysis of all programs offered in community colleges to help identify labour or market training requirements in order to replace redundant courses for which there is no identified labour demand. There should be expansion of work experience - co-operative education programs provided in high school.

Employment and Training

> There should be more options for individuals who are unable to meet the academic standards of the trade and occupational programs, such as pre-vocational programs that are effective for more hands-on, visual, non-verbal types of learning situations. There must be increased use of technology such as computer software, video cassettes and a lending library to keep up with the latest developments in trade and industry.

Co-operative Education

> Further studies should be devoted to expansion of work experience, co-operative education and job shadowing type programs for students in university preparatory programs as well as the students who are also academically disinclined. The Committee endorses a partnership approach involving business/industry, labour, government and educators in developing new approaches to education and job training.
>
> Communication, counselling, early intervention and the development of positive attitudes and values are as important as the provision of relevant, flexible and responsive education and training programs, in preparing our youth for the future and in addressing the issues of school dropouts, illiteracy, employment and special needs.
>
> Successful development of youth is a joint responsibility shared by parents and relatives, government, business and industry, labour and the community at large. (Caucus Committee on Youth Report)

There should be greater flexibility in the PSP to include high school credits for work experience, expansion of work study programs and better guidance system oriented to career choices. Social services and health services should be incorporated into schools.

There should be a restructuring in the high school system with the co-operation of the community college to introduce practical job oriented programs in place of the high school general programs to prepare young people for the job market or for community college.

The mandate of the community college should be extended to teach students with a minimum of academic skills who have other attributes.

The higher academic entrance requirements for community colleges have closed a number of doors to students who used to be eligible for the vocational routes.

Section 33 (3) of the Act stipulates "A school board may provide such vocational courses and services as are approved by the Minister." - Is this still applicable?

There is difficulty in graduates from Grade 12 entering Community College. Every effort must be made to provide a full range of services to all students. Consideration should be given to various entry levels so that students who have not completed Grade 12 have an opportunity to receive trade training skills to enter the job market.

Quality education should include such things as art, drama, physical education, music, outdoor/environment education, community development education and entrepreneurial development programs. In considering funding decisions, consideration should be given to offering such programs.

The community colleges are introducing adult academic upgrading programs to provide an opportunity for dropouts of previous years to upgrade and meet minimum entrance requirements to programs which will make them employable. Our school system should provide all students with the education they require but some students will always leave too soon.

When asking the question of whether or not vocational training should be the focus of the educational program for some students who reach grade 10 when it is believed they may leave school if academics are continued, it should be noted that all students are entitled to an "appropriate education". There should not be discrimination. A total well balanced program needs to be available for all students. There are three main components to the acquisition of knowledge, skills, attitudes, confidence and values. They are academic development, social development, and career development. Alternatives must mean the educational experience available for all students is similar. When a student's program needs to be adjusted, adapted or modified it should be done on an individual basis rather than as a stream. Students put in job-oriented programs when they are experiencing failure in academic achievements often fail to improve their academic standing. Their self concept is not elevated adequately because they are not part of the main stream.

Many students who have been in job-oriented programs in senior high are now requiring tutoring services as adults. Placement outside the school setting during school hours causes students to miss valuable opportunities in school.

There is confusion regarding the responsibility for vocational training. Schools cannot be vocational training centres or community colleges.

Solutions

(1) Money by itself is useless. We need resource help in the high schools.

(2) We need greater co-operation from industry funding literacy programs, involved with job training. "Canada ranks 20th out of 23 countries when it comes to on-the-job training."

(3) There must be greater co-operation between community and school. Parents must assume a greater ownership of the education system. They must be involved through initiatives such as mentorships, councils, curriculum planning, tutoring, etc.

(4) There must be teacher retraining with a diversity of teaching strategies. The whole language approach should not be promoted to the exclusion of some traditional methods. If there is to be a restructuring of the curriculum, then teachers themselves must become empowered to make the curriculum work.

(5) Every teacher must become a teacher of English. Reading and writing across a curriculum must be promoted. (It should be noted that this would apply equally to the French language if that is the language of instruction in the school). If we do this, we must be committed to it. Wrong spelling, wrong grammar is wrong in whatever course you are taking.

(6) Teachers and administrators must show a greater willingness to assist those who have teaching problems. We must stop passing the illiterate. Teachers must be better motivated and willing to embrace new methods such as computer programming.

(7) We need a social revolution in North America. We live in a something for nothing age where the grant is big. We need a restoration of the work ethic in every area of society. We need to start over. (Contributed by Leroy Peach).

4. Tracking / Streaming

Streaming has not brought about desired outcomes academically, socially, or in the enhancement of self-esteem.

Some programs further emphasize the student as a poor achiever rather than a competent learner.

"Tracking seems to retard the academic progress of many students - those in average and low groups." Tracking fosters low self-esteem and lowers the aspirations of students. Tracking limits what students will learn.

The preparatory stream seems to consume much more time from the Department than the academic core. It is set up by persons who have been fast learners. There must be an emphasis on the academic core or there is a danger that science faculties and universities will not have access to a reasonable number of high school graduates. In order for high schools students to keep their options open, a good core program should require each student to take the same program until completion of at least Grade 11. The preparatory options should enter at Grade 12.

Board of Trade members frequently experience frustration in hiring suitable entry level candidates who lack basic job and education skills or the ability to communicate adequately either verbally or in writing. High school age students who wish to, must be prepared to enter the work force upon graduation. University preparation should not be the overriding consideration of curriculum planning.

However, keeping students in school is not a solution in itself. Some school students who remain in school will, by their selection of courses, lose the opportunity to qualify for post secondary education. Dropping mathematics and science will effectively be dropping most post secondary technical and technological programs. Broadening core curriculum requirements may force students to take courses they would otherwise not take, yet to be effective, students should choose to take these courses. It would be highly beneficial if students in high school became familiar with the educational requirements for admission to post high school programs before they are given the opportunity to drop any subject from the traditional language, mathematics, science and social studies core.

One of the biggest behavioral strategies employed in Ontario in the mid 80's was the "Teach to Pass" approach which involved rewarding general level students for good behaviour.

5. CORE

Where is the definition of the CORE program?

The Department of Education and the people of Nova Scotia do not have the financial resources to specialize. What is required is a well thought out core curriculum that is focused on the average high school student that will give that student a good background to appreciate the cultural and technical aspects of life. This is of vital importance to high school graduates who do not go on to university.

The concept of an expanded core program providing equal education throughout the Province is good.

Currently, students are making poor choices and have to return to school to obtain courses they should have had before. The new compulsory program will eliminate poor choices for some of these average students.

"Reading, writing and basic arithmetic are not enough" is one argument with respect to the "back to basics" stampede. On the other hand, in a world that is exploding with knowledge, it is worth identifying core areas of knowledge.

There should be a provision for a Native Course in the PDR. We need guidance, library and resource. Programmes should be taught by teachers having expertise in the field. The introduction of computer technology should be early.

6. Integration

We must reaffirm the purpose of public education recognizing both universality and commonality by providing instruction in all areas for young people. Some students will master learning easily and go beyond the prescribed content. Others may have a limited grasp of subject matter and will need considerable encouragement. However, all must learn what they need to know.

Combining back to basics with self actualization is not impossible or inconsistent.

Underachievers should not be integrated with those who are motivated or are doing well.

In some jurisdictions, there is virtually no resource help for high school students in Nova Scotia. In such cases the literacy problem will become even worse. In such environments, the disabled are either promoted in spite of their illiteracy or lost in the shuffle. "Main-streaming with support or retraining might work; without support it would be a disaster." Teachers are often untrained to cope with multi-level classes. "To be illiterate, co-operative learning, student centred learning, will be no more than mush -especially in large classes. How can you learn co-operatively when you don't have much in your head? When you may even be a non-reader? ...They need, in fact, meat and potatoes instruction (ideally individualized) and they are not likely to receive it in the high schools of Nova Scotia, because reading specialists, and specific learning disability teachers at that level are not in abundance to support the efforts of the classroom teacher."

7. Other

Both home and school must accept responsibility for the learning development of young people.

In general, the school system is run by individuals who have graduated in the Arts programs. The general curricula is therefore oriented in that direction. "Basic sciences and math requirements should not be overshadowed by educators." Perhaps the principals job description should be redefined to require that the principal be required to review curricula in each school and its application to ensure that the appropriate level of science, math and other requisites are being taught.

Some students surveyed by the Advisory Council of the Status of Women with respect to guidance programs felt "belittled, betrayed, and discriminated against; others simply felt they had wasted their time." Some felt that their choices were being "dictated to by the counsellor" ... "some students criticized their guidance counsellors for breaking confidentiality to both parents and teachers despite the Department of Education Code of Ethics."

There are increasing demands for earlier commencement of school.

Some subjects might be better left to parents. Children should not be duped intentionally on any subject.

The open area classroom concept should be abolished. There appears to be too much leisure time, insufficient discipline and a greater need for basics (reading, writing and math).

There is too much time lost at school. Getting started in September, Christmas activities from November 15 until Christmas, and the month of June. Some thought should be given to an eleven month school term. Trips lasting more than a day for children up to and including high school should be abolished or time lost should be given back to the pupil.

Additional time should be given commencing in elementary to Geography, Civics (citizenship), Ecology, and the beginnings of a vocational education for all children (with help from business people in the community who could set up portable workshops to visit classrooms).

Increased emphasis must be provided in junior and senior high schools in Chemistry, Physics and Biology. All three subjects should be commenced in grade 4, 5 and 6 and be compulsory up to grade 10. Grade 12 should be beefed up so that more students will remain and take it. Some of these courses could be credited at university.

Children should be encouraged to be spontaneous in asking questions.

There are still things that can be learned by rote that will save time. Alphabets, English and French, the periodic table, multiplication tables and some wonderful poetry.

Parents know their children objectively much better than the teacher and all their guidance people. Most children from high school will tell you that they receive very little assistance from guidance anyway. This part of the system must be corrected and a closer liaison has to be effected with the majority if not all the parents. Teachers may see this as interference. The school must allow parents greater access to books so that they can help their children with good reading.

"Stand up for excellence in the schools in all respects should be the watch word."

The infrastructure of the learning processes for the 21st century has to be dedicated to man evolving into the world citizen. It staggers the imagination the trails that have been laid out for schools and teachers. Hire the best to teach the best to the best.

Needless to say, everyone can't be excellent but they can be the best they can be. If a teacher is going straight out, they will burn out early. There are ways to cope with this. Teachers should be trained who because of their breadth of knowledge should be known as headmasters and headmistress. They should check the teacher's work but should themselves teach certain allocated subjects. They will check with the aid of specialists the motivation of the children and their aptitudes. Each child is a special case but there are groups of children related due to similarities in intelligence, motivation and other factors. "A child like anyone else who is willing to apply his abilities can make up for other deficiencies and should be given the chance."

Students are shuffled through the grades without completing what is expected of them. Some students are lost in the system.

Don't settle for second best!

There are lessons to be learned, but it is not that we should do everything the Japanese do. Rather the lesson is that we can do a lot better than we are.

We need to ensure that female students are given equal exposure and encouragement in the areas of math and science where it is identified that their interests have not been cultivated as well as male students.

A broad education is one that must provide (1) a knowledge-based education -- the basics and (2) personal development.

All Senior High School Teachers should be specialists, as well as French, Physical Education, Fine Arts, Guidance Counsellors and perhaps others. Teachers should not be assigned to field unrelated to areas of expertise.

The Report of the Advisory Committee on the Public School Programme made a number of recommendations which are appendixed hereto as Appendix M. The recommendations, particularly with respect to minimum hours for course completion, minimum instruction time per day, and the reduction of multiple levels in high school courses, should be given particular attention.

Observations and Recommendations

1. General Observations

(1) The value of the concept of multi-ability classes must be recognized and implemented (from the report of the Advisory Committee on the High School Program). "Students in the lower tracks were the least likely to experience the types of instructions most highly associated with achievement..."

(2) The United Nations convention on the rights of the child adopted by Parliament in 1990 states in Article 29 that "Canada agrees that the education of the child should be directed to 'the development of the child's personality, talents, and mental and physical abilities to their fullest'."

(3) "With the emergence of large scale youth unemployment or underemployment,...it becomes unclear on what basis pupils should be channelled into one type of second level education rather than another."

"In some countries there is evidence that the problem might be in part related to the level of education itself, in-so-far as graduates from third level education have less difficulty in finding employment than graduates from the second level. But such evidence is ambiguous, since it is possible that third level graduates are simply displacing or "bumping" second level graduates into lower level jobs." There has been a shift in focus towards the needs of employers, "notably in Western Europe but to some extent also in North America"...with a view to smoothing the transition of young people from formal education to the world of work."

Notwithstanding the above, "a more humanistic vision (of education) is not excluded. Uncertainty about the relationship between education and employment has reinforced arguments in favour of providing all young people with a broad, general education that could serve as a basis or foundation for further learning in later life." (UNESCO)

(4) British Columbia is looking at a new framework for education developed pursuant to the mandate and policy directions for the British Columbia school system announced in January, 1989.

The integrated occupational program available in the Alberta school system is intended for students in the junior high program who are experiencing difficulty in the regular program. The program has been extended to grade 10 for the year 1990-1991 and the grade 11 and 12 programs are available in September, 1992 and September, 1992 respectively. All jurisdictions must provide a 5 year program available to all students.

In Alberta, minimum instruction hours are specified in the Education Act (e.g. Section 25(1)(c) of the School Act specifies that junior high students have access to 950 hours of instruction per year at each grade level). The Guide to Education manual specifies that instructional time does not include: teachers' convention, professional development days, parent-teacher interview days, teachers' planning days, staff meetings, statutory and local school authority declared holidays, lunch breaks, recesses, breaks between classes and field trips for extra curricular activities.

At junior high, course work is divided into core programming or courses and complimentary courses.

Currently in Alberta there are three achievement levels for students completing course work at the high school level. There is the general high school diploma. There is the advanced high school diploma and there is the certificate of achievement (for those students completing the integrated occupational program).

At high school level, students must have access to 1000 hours of instruction time per year. Instructional time is defined as time scheduled for purpose of instruction, examination and other students activities where direct student-teacher interaction and supervision are maintained.

The integrated occupational program in Alberta is a course designed for students who experience difficulties in the regular secondary school program. The academic courses focus on the development of concept skills and attitudes necessary for everyday living at home, in their community and on the job. The course provides the students with the opportunity to apply the concept skills and attitudes developed in the academic courses and at the same time prepare the students for entry level job opportunities in eight occupational clusters. The eight occupational clusters are: Agri-business, business and office operations, construction and fabrication, creative arts, natural resources personal and public services, tourism and hospitality, transportation. Community partnership is integral to all I.O.P. courses.

Students in the I.O.P. program may wish and are permitted to transfer back to the general high school diploma route.

The Saskatchewan technical-vocational education/comprehensive high school's review committee report entitled "Comprehensive Education: A Challenge for Saskatchewan" lists in its summary of recommendations several issues of value to Nova Scotia.

They recommend a practical and applied arts program for their high school system. They recommend the career guidance and counselling services be provided to all students including those in elementary and middle years and that students be provided experience in career planning and have access to career information. The Committee recommends the establishment of a interdepartmental steering committee to review and regulate articulation between kindergarten to grade 12 system, post-secondary institutions and the workplace to provide for clear definitions of exit and entry requirements, utilization of resources, etc. The report also recommends a consultative process aimed at providing distance education and some more services.

Consideration should be given to eliminating a tracking system but concentrate on multi-ability classes.

2. Some Observations About The Public School Program

With respect to the goals of public education, there is lacking a specific reference to the need to study and develop a confidence in all branches of science including physics, chemistry, biology and related subjects.
One issue that came up was the number of course offerings in high school. According to the listing on Page 25 and 26 of the P.S.P. there are 112 course offerings in high school from which currently sixteen credits must be obtained. Of those sixteen credits, only six are compulsory:

(3) English
(1) Mathematics
(1) Social Studies
(1) Science

Of all the courses required to be taken, three English courses out of a total of nine offered must be taken; one Mathematics - out of a total of nine courses; (one) Science - from a total of eighteen courses offered.

The remaining subjects are technically electives. Ten elective courses out of a total of (excluding the English, mathematics and science courses entirely) seventy-eight courses.

It is beyond the mandate of this Committee to engage in the detailed discussion of the proposed core curriculum changes. Nevertheless, many presentations made to the Committee made specific reference to, or suggestions regarding, curriculum changes or problems. Moreover, the Select Committee monitored the progress of the core committee's work, met with Department of Education officials regarding their progress and received and reviewed copies of the submissions made to the Department's core committee. That committee report to the Minister is expected to be made public in the near future.

The Select Committee's comments regarding the proposed core will be limited to two areas: (1) financing and (2) certain selected specific concerns.

(1) Financing

In the context of a discussion regarding the core curriculum, it must be emphasized as a matter of reality, that we cannot achieve everything we would wish for in education because resources are limited. Choices must be made. To maintain the status quo is to choose not to do something else. Everyone involved in education must understand this.

As a principle which should drive the determination of the core curriculum, and the overall allocation of resources is this: what do we wish to achieve in the classrooms of our Province by way of minimum priorities that will meet the legitimate expectations of our students and their parents. When we have answered that question, then we must allocate resources to achieve those expectations. Absent unlimited resources, this may mean the elimination of anything which is not necessary to the delivery of that expectation.

Our priority must be the classroom, the classroom teacher and the necessary resources for that teacher to meet the needs of his or her student.

(2) Specifics

The CORE programme recommendations attempt to do two things: Broaden the mandatory range of subject matter for all students, i.e. broaden the knowledge base and secondly, to ensure the provision of certain "support" resources -- guidance, library, technology and special education.

Community College

The general high school program at Kingstec has been cited as the type of program which provides the identified gap for students who cannot fit into the regular academic stream and would be at risk of not obtaining the grade 12 certification unless an alternative program were available. Information provided by Kingstec to the Committee indicates however, that there is in effect up to an 85% dropout rate among those students presenting themselves at Kingstec in the career preparation program. Although the viability of that particular program and others like it involving community colleges was excellent in the past, the times have caught up with them. Applicants to Kingstec and other community colleges for the most part require grade 12 and in all cases require a solid education. Applications for entry into programs in community colleges are on the increase and qualified applicants are being turned away. Those programs must accept the best qualified applicant and community colleges cannot be repositories for students that are failing in the regular system. Rather, consistent with recommendations of many educators, the concept of a comprehensive community school must be supported. The students must be kept in a community school from which the appropriate academic grounding can be provided to them coupled with the appropriate stage in their education exposure to meaningful, alternate programming.

Integration

It is absolutely essential in the provision of optional programs for students whose learning abilities may not be average, i.e. are below average, that every effort be made to challenge them to the greatest extent of their abilities. There is little doubt that in the past and some would suggest in the present, the failure to identify a significant learning disability in an otherwise talented and bright child could result in the child being streamed in the wrong direction and one to which their abilities are not suited.

It is absolutely critical as a matter of philosophy that the concept of integration and multi-ability classes be the driving goal of education in Nova Scotia with the provision for parental and student consent for optional programs of an enriched or occupational nature depending on the measured abilities of the students.

We must ensure that there is no legitimate obstacle to students transferring their course sequences particularly to more challenging levels. A student who wishes to change a program route should always have available counselling but should not have any legitimate obstacles placed in their path to move from one route to another.

There was support for the statement on integration issued by the Department of Education and the philosophy of non-streaming as found in the report of the Advisory Committee in the public school program.

> "Students must continue to be regarded as individuals within the formal structure of school ... Their distinctive needs should be recognized and met on an individual basis. ... It must become the practice in all schools in order for students to profit as fully as possible." (The report of the Advisory Committee on the Public School Program).

It is very difficult to achieve agreement or consensus on educational strategies. There are many excellent educators and there are many good strategies. What seems to be apparent is that some strategies will work with some students and some strategies will not work. But how do you choose the appropriate strategy and apply it properly to the students that should receive it. It is extremely difficult and complex. Do you stream students or do you have multi-ability classrooms? Should teachers be prepared to cover all educational problems before them or should we have a system of specialist support? Do you test for results or not test for results? Does everyone pass or does passing a grade actually mean something? Should graduates from our high schools be literate and if so at what level? What are we trying to do in our education system? Is it merely a holding cell for the percentage of our population?

There is a definite deficiency in the public school program in the provision of meaningful careers counselling course material for students. It is essential that school be meaningful for students. To be meaningful, students must realize at an early age the opportunities that education can afford them if they apply themselves. Therefore, the Committee recommends that there be specific careers programming provided at early junior high school levels as a separate part of the curricula or as part of the PDR course with in depth exposure to information regarding career opportunities including exposure to representatives from all sectors of employment including the sciences, information technologies, manufacturing, industrial and vocational trades.

There are a number of suggestions which the Committee wishes to make for the consideration of the Department and the other partners in education. It is the view of the Committee that there is probably little very new in these suggestions. In some areas, work is already being done. In other areas, it is perhaps generally recognized that work should be done. In the case of all these suggestions, it is the Committee's view that urgent attention must be paid to these matters and they deserve the urgent attention of the Department of Education and the other partners in education to ensure their implementation in the public school system. Every year that goes by without dealing with many of these issues compromises the education of some students.

The Committee recommends the following as matters relevant to the curriculum of public school education in Nova Scotia requiring the urgent attention of the Department of Education and other partners in education:

1. **Students, teachers and parents must know that if some students need more time to develop, the option must be clearly available in the school system for either: (1) a transition year for students between elementary and junior high if the student and their parent is agreeable or, (2) a more intensive training/tutoring program for the child as he/she moves through the school system. Such training and tutoring may well have to occur before and after school, particularly in the junior and senior high school. Under the guidance of the principal, programs should be established under the direction of one or more teachers and with the involvement of volunteers from the community, the parents themselves, or other students in individualized programs of assistance.**

2. The Department of Education should engage in a complete review of the Junior High School programme with special regard to the following: alternative programming that would allow for some flexibility for students who do well in some subjects and are having difficulties in others, and the wider availability of resource teachers.

3. We need to actively explore Province-wide, and at the District Board and school levels, active partnerships with business -- big and small, particularly in the fields of computer and related information technologies, both to enhance student learning and to create direct links with the economies of today and tomorrow, within specified guidelines. Boards and schools so inclined should engage in partnerships, both for the use and provision of equipment as well as for careers counselling.

4. An integrated and comprehensive alternative programme of education must be implemented into the Public School System, subject to the following parameters:

    (1) There be an essential academic core in such a programme to ensure a minimum standard in literacy, numeracy and science achieved by all students.

    (2) The programme could be provided in every high school, beginning in Grade 10 (or possibly earlier).

    (3) The programme would terminate in a Grade 12 graduation certificate.

    (4) Entry would be by choice.

    (5) The programme would be promoted as a part of a career vocational course of study.

    (6) It would be a Province-wide programme but allowing for a limited degree of local autonomy, i.e. the provision of a particular course of study unique or relevant to that part of the Province.

5. It is vitally important that an occupational program in our high schools be integrated appropriately with the programming being carried out in our community colleges. There should be no overlap but they should complement each other and be directed at the market place in both respects.

6. Some extracurricular activities in some schools may be in jeopardy due to limited funding and a lack of quality leadership. This problem should be addressed by the Department of Education, NSSBA and the NSTU to ensure that students in all parts of the Province are being provided with an even level of extracurricular activities.

   School Boards throughout the Province should consider the possibility of some level of commercial sponsorship or assistance for extracurricular activities.

Section XVI

EXCEPTIONAL STUDENTS

Submissions

1. Gifted Children

Research has confirmed the value of the School Achievement Test as an identification tool and the efficacy of high level, fast paced instruction for the gifted.

We must work to increase understanding and acceptance of bright children in our schools and communities.

"The bright child is one who has the potential for unusual accomplishment in any of several areas, including intellectual and creative ability, musical, artistic and athletic performance, social or leadership skills."

It is a myth that gifted kids will do alright anyway or that programs for gifted kids are elitist.

There is a need for flexible instruction to allow gifted students time to pursue their exceptionalities. Research should be ongoing into programs that will help maximize the potential of gifted students.

Many gifted students are harassed by their peers. Enrichment programs can help the gifted gain in self-confidence. Gifted students come from a variety of socio-economic backgrounds. In some socio-economic circumstances, this can put an added burden on parents. Support systems for parents of gifted children is in need.

There may be a need for some teachers to become specialized in the field of gifted children. This may help alleviate the burden on some classroom teachers who cannot handle the tremendous variety of learning abilities that they face.

There is correlation between social problems experienced by gifted and learning-disabled students including dependence on social assistance, higher rates of suicide and incarcerations.

2. Learning Disabilities

Approximately ten percent of the population are considered learning disabled and are "at risk" students. To be considered learning disabled, the individual must have an IQ that falls in the average to above average range. Many have high IQs.

Learning disabilities are a special problem. According to the report "Learning Disabled Students in the Public School System, Report of the Human Resources Committee, 1990," 7% or 12,000 students in the system were learning disabled. One percent or over 1,600 were at high risk. A very large percent of those dropping out of high school leave because of reading and writing difficulties. A significant percentage of our students graduate without being able to read and write. Many of the students who cannot read and write are in our academic stream. They lack critical reading skills and sophisticated writing skills. Stats. Canada states that 40% of high school graduates under the age of 24 cannot fill out a catalogue order or calculate shipping charges of 10%.

The Report on the Learning Disabled by the Legislature Committee indicated that 11,900 of the learning disabled students "can, with assistance, remain in the mainstream". Key to it is the words "with assistance". It is impossible to consider placing such students in the mainstream with other illiterates in a "one track system without any resource help." Whcle language has been deemed to be the way to go on all levels. But such methodology is good only in combination with other methods. The students centred approach, in fact, is as good as the teacher facility in it. The recommendations of the Bullock Report (1975) in Britain that "personal growth and social orientation in the school system take precedence over standards of performance" are now under attack.

The Standing Committee recommended that "the Formula Review Committee study a separate mechanism for determining funding levels for learning disabled categories." They also recommended that School Boards should provide inservice training; and that parents be granted a tax exemption on educational expenses incurred on behalf of the seriously disabled.

Any resources available should be available to School Boards, to provide permanent reading specialists and specific learning disabilities teachers in the high school as well as learning centres, who must declare war on illiteracy within the school itself. The federal government should fund adult education programs run by well trained high school teachers. We need a greatly expanded program in Nova Scotia. We need permanent solutions.

The linear path i.e. that a child enters at one point and progresses to the exit point should, in some cases, have tangents for special alternatives that provide for individuals with specific learning needs.

A linear approach is useful because it is administratively convenient, economically appealing, and appeases lobby groups who want to see all children in the same classroom. "For the illiterate, the dropout or the severely learning disabled, this can be a disastrous path." When children move into the second level, their shortcomings are easily demonstrable to other individuals. We require at this level a concentrated effort directed at the academics and self-esteem of the students at risk.

APSEA funding has declined for students who have been approved to enter Landmark East School. This places students at risk and places the very school at risk. The students referred to Landmark East School are high potential students whose learning processes do not respond to their current learning environment. Such students are on average 4-5 academic years behind their peers. It is impossible to close this gap in one year. It requires 2 years minimum.

"The problem of high potential students at risk is not going to disappear."

Early identification of the learning disabled at the elementary level is crucial. Programs should be made available to better qualify individuals for instruction of the learning disabled.

3. Counselling

Career education should be expanded in junior and senior high school. Guidance and counselling services should be expanded based on an appropriate student/counsellor ratio. There should be a recognized standard of training for career counsellors and that role should be clearly defined and carried out throughout the Province. Counselling can be broken down into three categories: career counselling; social and emotional counselling; counselling for youth outside the education system. There should be greater emphasis placed on expanding community based government and non-government programs to provide counselling services, academic upgrading, instruction in life skills and pre-employment training. There should be an inventory of all such programs available and known at each Board and school level.

4. Recommendations of the Learning Disabilities Association of Nova Scotia (LDANS)

The Education Act must mandate that a student is actually receiving an education. The Association recommends that "The Nova Scotia Education Act include specific provisions for the right to a free, effective and appropriate education for each and every Nova Scotia student", and that the Committee adopt the Ontario Education Act provisions with respect to exceptional children by including "provisions for special education which are based on the needs of the students and which are guaranteed to be appropriate special education based on those needs."

And "that the Committee call on the Government to bring the Learning Disabilities Institute into full operation including the granting of appropriate staffing and resources.", and that any amendments to the legislation "recognize the need for speedy and effective assessments" of individual students.

"Even if there were not evidence (of) the relationship between learning disabilities and young offenders, the cost of not providing appropriate and effective education for the learning disabled is too high for society to pay. The enormous loss of productivity, creativity and the unfairness that results from individuals who are abused or not treated appropriately by the educational system, is something our society can ill afford."

"Correctional institutions are far more expensive than schools and, the human suffering and social costs of children being in such institutions, are incalculably high."

"The LDANS sees the Learning Disabilities Institute as a critical tool in developing effective, meaningful and appropriate special education programming in this Province . . ." The Committee should "ensure through legislation and policy that Special Education Programming be protected."

5. Special Needs Children

In Ontario the disabled are protected by legislation. Their courses are timetabled and are not disruptive of the student's program. They can be instructed in small groups. There is less of a stigma. Under that system, the disabled student may even receive a "double dose of English". There is support for the classroom teacher.

It has been pointed out that successful integration depends in part on class size and adequate funding.

Every classroom has students with special needs. Yet only a teacher teaching a special education program is entitled to a license increase from TC5 to TC6 upon obtaining the special education diploma through Acadia University.

The label 'special education' should be replaced by a name that more appropriately reflects the integration aspect and nature of the program.

School Boards understand they are required to accept special needs students, but they do not have the necessary supports to properly educate them.

With the learning disabled, learning impaired and developmentally delayed child, the objective is to minimize the exceptionality. With the gifted child, the objective is to maximize the exceptionality.

6. Special Education

More money must be made available to the special education budget for teacher assistance.

> Philosophically we may support it but action is another matter.
>
> There must be legislated protection for special education funding.

Observations and Recommendations

Appendix N outlines the number of professional and para-professional staff employed by each School Board in the Province in 1990 - 1991. The report indicates a wide variation in numbers and when these are linked with student ratios, indicates a great disparity of emphasis on special education across the Province. The report focuses on staff allocated to a particular job. It will not of course indicate the jobs that the classroom teachers are doing to support students in their district without specialized staff.

A number of studies have been done with respect to special education and the Committee heard with respect to special education needs. It is evident that special education is and is considered an integral concern of the education system in Nova Scotia. However, resources and teaching methodology have been slow to catch up with the real need. Greater resources need to be put into schools to deal with learning disabilities through early intervention, identification, and treatment with a continuing use of specialized institutions.

Special education teaching, training, methodology and in service will be an essential and required part of all teacher training in the Province i.e some minimal level. The P.S.P. refers to the following: "School based teams which may include resource teachers, special education teachers, guidance counsellors, principals, para-professionals, peer helpers and volunteers who can all play a role in supporting students and teachers. District personnel (such as special education administrators, school psychologists, educational assessors, speech and language pathologists and curriculum specialists) may also be involved to assist the teachers and students in planning an appropriate educational program." "From time to time, instruction for students with exceptional needs may be delivered outside the regular classroom. Options may include individual or small group instruction by a resource teacher or special education teacher, part-time placement in a special class, or placement in a special class for much of the school day. Collaborative planning among teachers across these settings is essential for these students."

The Statement on Integration issued by the Department of Education, November 26, 1991 states " The basic goals of general education are appropriate for all students....Most students who require special education services can have their needs met in the regular classroom." "The issue no longer is whether most students with exceptional needs should or should not be integrated, but what support is needed for integration to be successful. Implementing integration requires a profound change in thinking and operating for the education system. The philosophy of integration involves moral, ethical, social and pedagogical values and practices. The implementation process must be approached with sensitivity so that all involved adults, including parents, teachers and the wider community, work together to prepare students for successful school experiences. It must be acknowledged that implementation of integration is a long-term process, and one that will require planning and the most effective use of available fiscal and human resources."

Approximately 10% of the population are considered learning disabled and therefore are at-risk students.

Some students with learning disabilities require intense remediation in smaller pupil-teacher ratios as well as special aids in order to complete their academic program and be eligible for University.

The role of teacher assistants should be carefully looked at and in keeping with the Department of Education philosophy on "integration". One School Board requested that the NSSBA request the Nova Scotia Department of Education to (a) "define teacher assistant hiring criteria guidelines; and (b) "define specific funding support for the hiring of teacher assistance." A teacher assistant survey (Appendix R-3) indicates that across the Province the ratio of students to teacher assistants varies dramatically from a low of 1 to 138 at the Annapolis District School Board to a high of 1 to 502 at the Richmond District School Board. Those ratios may well reflect different needs as well as size, geography, and other factors. Nonetheless, there is a wide variation.

Referenced in the World Education Report is the Warnock Report from the Department of Education and Science, United Kingdom, where it is stated that: "Up to one child in five is likely to need special educational provision in the course of his school year".

Ontario's Bill 82 of 1980 mandated Special Education and provided processes for involvement of parents and interested organizations in decisions respecting identification, placement and programming for students with special needs.

The Committee recommends:

> **The Education Act be amended to provide for a definition for exceptional children with specific provisions for exceptional children and that such amendments to the Education Act include a provision of education services to all exceptional students including gifted children, children with learning disabilities, and other special needs children.**

Section XVII

ACCOUNTABILITY – STANDARDS

Submissions

1. Teacher Evaluation

Job performance is the true test of accountability. It is imperative that evaluation mechanisms and periodic performance reviews of teachers be entrenched in regulations.

There has to be evaluation as a measure of what we are doing. There needs to be a formal mechanism.

There should be a committee in place to evaluate a teacher.

It was suggested that an independent committee be appointed to monitor teachers and parents concerns objectively.

Why do we not have independent evaluation for teachers' performance? What is the quality of education that is being provided? What is the standard? How do children in one part of the Province compare with children in other parts of the Province? Scholastic testing has been done in our schools but parents do not always see the results. Parents should know the results of scholastic testing so they can judge appropriate career opportunities for children. Parents should know where their child and his or her school ranks in the Province.

The Select Committee should look at some independent body to evaluate the abilities of teachers. There should be some input from parents. This would benefit students. It would be an avenue to evaluate poor teachers, incompetent teachers and teachers that are hurting children in the classroom. At the same time, this can help good teachers. Sometimes teachers are unjustly criticized because they set higher standards and demand more of their students. Such teachers require support. The whole problem relating to standards set by teachers should be examined.

Students starting in grade 7 should be permitted to do an annual evaluation of their teachers.

Teachers should be released two days per year to observe other teachers.

School dropout rates together with literacy and numeracy skills are direct measures of the success or failure of a given school. These should be measured and publicized annually and compared throughout the Province. Standardized testing should be a requirement.

Teachers do not need to be protected against variations in student abilities. Schools and teachers should be judged on the efficiency of development of student potential.

Performance appraisal should be required annually of all teachers. There should be a means whereby staff can be dismissed who fail to fulfil the role of a good teacher. (Such an assessment must be meaningful and carried out by those who can objectively assess teachers).

Testing is an efficient way of providing evaluation for teachers, students, School Boards, parents and the Department of Education on performances and the rate of return which Nova Scotian taxpayers are realizing on the education of the youth of this Province.

There must be a way to reward teacher excellence in addition to purely academic qualifications. Outstanding teachers should be rewarded.

2. Obligations to Parents

Some parents have difficulty understanding the new methods. Why is it okay to correct work that is wrong as right on the basis that it builds self-esteem and confidence in the child. If a child is doing wrong they should be told. If they are doing their work wrong they should be told it. In some cases, complaints are received because a teacher is too strict or requires too much of the child. Teachers who set high standards and who teach to high standards, as long as they are not beyond the achievable expectations of children, should be encouraged to do so.

A close relationship between the school and community is essential to obtain the best educational benefit for the student.

Some concerns were expressed with respect to what was occurring in the classroom. Parents were concerned that when they were dissatisfied with the work that a teacher was doing with their child or children, they had little recourse to complain or to change the situation. Very often the system closed ranks and defended or supported the teacher's position. Parents lack an independent tribunal to hear their concerns. Some parents feel intimidated by the system and by the reaction they get to inquiries or complaints. In one case, complaints about a teacher led to insinuations of a civil suit for slander.

It is very time consuming trying to find answers to simple concerns. The rules keep changing to suit the situation.

Complaints about the conduct of a teacher are directed first to the principal, School Board, supervisory staff, or the Board itself. Sometimes complaints get directed to Inspectors, Ministers, MLAs, or other officials. There is no formal process external to the School Board for dealing with complaints about teacher conduct. The Board is the employer of the teacher and is responsible for ensuring that the teacher's professional conduct is satisfactory.

3. Obligations to Students

There should be a committee who can check or assess complaints against teachers.

Concerns were expressed regarding the teacher's failure to properly correct the work of students or to bring home to the attention of students where they are failing. In some cases, the conduct of teachers is considered to be rude and unprofessional.

Honour students attend university and have difficulty passing the first set of examinations. We are told that they don't know how to study. After twelve years of school they should know how to study. Teachers have personal problems and bring them to the classroom.

One anonymous letter to a rural newspaper, reported to be authored by honour students at one of the high schools, indicated great dissatisfaction with teachers. - Students have been totally immobilized within the system. Every time a student gets ambition to do something, his or her wings get clipped. Do teachers only come to school so they can get a pay cheque? Unfortunately, we think this is sometimes the case. Teachers and administration don't have the initiative to deal with problems as they arise. This has adversely affected student-teacher interaction and activities. This also created low student morale and a deep desire to leave school and all the problems that are associated with it.

The public expects teachers to teach and be accountable. The teaching profession is not performing the task of educating all students.

Any person involved with education in any way should be required to sign an oath of commitment to the betterment of our children's education for the sake of their future -- and it's more than reading, writing and arithmetic.

4. Accountability / Standards

The average annual salary of teachers is about $45,000. A highly qualified teacher (TC8) earns around $70,000 per year. Teachers are perceived to work only during school hours - about 30 hours per week. They have lengthy holidays during Christmas and at mid-term and two months off in the summer. In contrast, business managers are known to work in excess of 60 hours per week. Teachers should be required to be at their work station from 8:30 - 4:30 each day. The preparation work for lessons and grading of student work could be done at school. Teachers who work outside of class time would be visible to the community and the teacher would be accessible to parents. "Adherence to regular extended hours which pre[illegible]nt a professional, responsible, accountable image to the public".

School achievement tests should be compared with other districts. Test results - have they improved over previous years?

Schools should be required to demonstrate their efforts to ensure adequate role models, improve teaching methodology, foster respect for students and their families and demonstrate ways in which the family has supported the school in averting suspension and expulsion.

We should have provincial examinations at grade 6, 9, and 12. Parents should have a means of judging school results with a common measure.

The purpose of our education system must be to provide "a well balanced group of citizens who are versatile and flexible, and who will be well prepared to compete, and to win in the international arena."

It is not just what we teach, it is how we teach. We need to set higher expectations for achievement.

Look at outcomes. What do we want them to do? Then we need to design down. We have to stop patching the system.

We need performance based education.

Students are entering junior high unprepared. Teachers become frustrated because students do not know the basics, students are frustrated because they have not learned. Parents are frustrated because their children have low self-esteem. We need standards that teachers are expected to achieve, standards that teachers can expect of their students, standards parents expect of the education system.

What is the standard in the Province for an education and who is accountable for this standard? Is it the student, the teacher, the administration, the Department of Education, the parent or society?

Teachers face a lower standard due to lack of accountability.

There must be some way to evaluate whether our tax dollars are being wisely spent on the present educational system. Are we getting value for our money? Is the present system doing what it's supposed to do? Universities tell us that we are not preparing our students properly for university. Students need to have proper study habits, writing skills, reading skills and be able to work independently. Does the present system develop these skills?

There is a general perception that our system is failing our children. The dropout rates confirm this, literacy rates confirm this. There is a lack of accountability and a great deal of money being spent.

The cost of our current system is too great in monetary and human loss.

If there is to be true accountability, there must be literacy and numeracy goals in science, mathematics and technology. "Standards lend purpose to and reinforce the education process."

We must start to assume that "every child can learn and accomplish high standards, with sufficient time to learn, tools and resources. The standards themselves do not impose any penalty."

We must decide "what we want students to know and be able to do in Grade 12 (the 'product'), then work down to the early grades to establish reasonable benchmarks toward that goal."

Observations and Recommendations

Assessments

1. I.A.E.P.

The I.A.E.P. (International Assessment of Educational Progress) testing service tested 20 countries for mathematics and science achievement of 13-year old students, and 14 countries with respect to 9 year old students. The countries assessed were Brazil, Canada, China, England, France, Hungary, Ireland, Israel, Italy, Jordan, Korea, Mozambique, Portugal, Scotland, Slovenia, Soviet Union, Spain, Switzerland, Taiwan, and the United States. A random sample of 3300 students from about 110 different schools were selected from each population at each age level. The students were tested in March 1991. There were a number of highlights from these reports.

In mathematics at age 13, Canada ranked 9th out of 15 countries of comprehensive populations. The highest scores went to Korea and Taiwan both at 73% average correct. Canada scored a 62%. It is noteworthy that Canada had the 3rd highest per capita gross national product after Switzerland and the United States. Canada is also ranked third with respect to percentage of gross national product spent on education at 7.4% following Israel at 10.2% and the United States at 7.5%. Korea, Taiwan, and Switzerland, the top scoring countries, spent 4.5%, 3.6%, and 4.8% of gross national product on education respectively.

In mathematics, note the percentage of schools where the teacher teaches mathematics most or all of the time. Canada here scores third from the bottom, above Switzerland at 25% and Italy at 16%. We are at 31%. It may be worth noting also that our students also scored low with respect to the percentage of students who spent more than two hours on homework each day.

Canada is considered to have a literacy rate of 96%. Eight countries had a better literacy rate. Canada is equal to the United States literacy rate. Canada has an average days of instruction in a year of 188 days, less than 10 of the other countries tested. The average time spent in instruction per day in school and time spent on mathematics instruction for a week in school compared favourably with other countries. In addition, in 12 countries the teacher taught mathematics most or all of the time in a higher percentage of schools compared to Canada. With respect to the age 9 mathematics assessment, Nova Scotia did not participate. Canada placed 8 in a field of 10.

Canada placed 9th out of 15 in science in those countries surveyed in a comprehensive fashion, with an average percent score correct of 69. Among the Canadian Provinces, Nova Scotia scored slightly above the Canadian average behind Alberta, British Columbia, Quebec and Saskatchewan. Alberta scored the highest having an average of 74 percent correct equivalent to the third highest country score of Switzerland. It is notable that countries such as Japan or Germany did not participate.

It is also noteworthy that of the fifteen countries comprehensively tested, only one scored lower than Canada with respect to percent of schools with teachers who teach science most or all of the time. That was Amelia Romania, Italy at 8%. Canada was at 37%. The next highest was Hungary at 59%. Korea scored at 89% and Taiwan at 100%.

Regarding Alberta, the I.A.E.P. notes that since 1982 student learning has been monitored through a provincial assessment program for students in grades 3, 6 and 9. Provincial examinations which count for 50% of the student's final grade in selected 12th grade courses has been in place in 1984. The system strives to achieve equity, excellence and effectiveness in meeting its student's needs.

The Education Act of 1948 (Korea) stipulates that the purpose of education is to "enable every citizen to perfect his personality, uphold the ideals of universal fraternity, develop a capability for self support in life, and enable him to work for the development of a democratic state and for the common prosperity of all humankind."

In Taiwan, education is highly valued and centralized. "Teachers are highly regarded and there is no shortage of mathematics and science teachers."

"An important educational goal is to develop a sense of dignity in students by building their confidence in subjects in which they have shown potential. About 1/4 of the students leave school for employment at about age 15. The others have passed competitive national entrance examinations and go on for technical education or university training." There is "strong home support for school programs..." "After-school academic-enrichment programs are popular for secondary school students."

2. Nova Scotia School Achievement Tests

In Nova Scotia, the wide variance in school achievement test results would tend to confirm that different pedagogical backgrounds and approaches may be at play, although there are no doubt other factors influencing the wide variation of results as well. In looking at a system of assessment, there must not only be standards in the assessment tests for the purposes of determining learning outcomes, but also within the assessment process a recognition of the determining factors influencing those outcomes.

The Nova Scotia Achievement Test provides part of the answer. They are used in grade 9 and grade 12 at the present time, but they are not applied on a mandatory basis.

The tests are for assessment purposes. The results are supplied to students, their parents and School Boards. It is known that some parents have never been advised of the results of these tests.

The fact is that a review of the performance of different boards and schools in the Province would be of significant interest to the public.

3. UNESCO

UNESCO: World Report on Education (1990);

"One of the trends common throughout OECD countries is the treatment of school curriculum in strategic terms by government seeking to restructure or firmly steer their economies. This reflects both public concern with the outcome of schooling and a rekindled interest in the human capital theory."

"The content of schooling and the methods used in teaching students are too important to be left to teachers and must be brought into line, it is said, through strongly interventionist policies by governments."

"In fact, the role of the teacher in systems of assessing students' learning achievement is likely to emerge in the coming decade as a critical issue for both the status of the teacher within education generally and the credibility of assessment practice itself."

From the Schools Council (Australia), Teacher Quality: An Issues Paper, the following: the Schools Council in Australia believes it essential that: "There be appropriate and effective opportunities for the continued professional development of teachers throughout their careers to meet their professional needs and the needs of the system in which they are employed;..."

"The increasing concern in many countries for the quality of schooling has focused on learning outcomes or achievement. The assessment of students' learning achievement is likely to be the subject of much educational discussion and debate during the 1990's. Some countries have introduced national assessment programs which already are very much in the public view. The possibility of defining 'acceptable levels of learning acquisition for educational programs' and of improving and applying systems of assessing learning achievement has been evoked at the international level. The issues involved are complex and controversial. A critical question is how to use examinations and testing to help improve learning? The role of the teacher would seem to be crucial. One issue for consideration is known as 'teaching to the test'. There are two types of assessment information - criteria referenced information, when teachers simply need to know if students have acquired prerequisite knowledge and skills before progressing to more advanced stages of learning and norm referenced information in situations where resource constraints require that only a limited number of individuals can be selected for a particular course of study. "In both cases the student is challenged to perform a certain task or tasks, and there is little doubt that the prospect of such challenge can provide a stimulus to learning."

"If, as is common, the knowledge and skills assessed by examinations are the ones that teachers, students and parents concentrate on to the exclusion of what else is in the curriculum, then there occurs the biggest, single unwanted side effect of external assessment. Proponents of 'measurement driven' or 'assessment led' instruction have argued that if 'teaching to the test' produces higher test scores, then at least some learning has occurred."

On the issue of school based assessment, from one standpoint, "teachers are regarded as central to any meaningful assessment activity. The practical problem [however] is to ensure that they have appropriate up-to-date assessment skills. One difficulty of school based assessment in isolation is that "teachers are sometimes thought to practise favouritism in their judgement and not to adhere to common criteria..."

A further argument in favour of using tests as instruments to improve learning is the 'diagnostic' test. Diagnostic testing carried out "by the conscientious teacher who is continuously monitoring the learning progress of his/her students and adjusting the teaching as necessary in order to help them learn" may be appropriate.

There have been a number of improvements to assessment and testing practices. One particular development has been "the growing use of tests which define levels of achievement in terms of typical tasks from which a person at a particular level is likely to be successful..." For example, the U.S. Department of Education in profiling young adult literacy in the United States instructed "stimulation tasks" for assessing literacy proficiency "...reported in terms of three important and relatively distinct areas" . . . Prose literacy, document literacy, and quantitative literacy have found their applications in various adult contexts in the workplace. Proficiencies were judged on scales ranging from 0-500 and the task measured was one that an individual at a given level would be expected to be able to do. For example, with respect to prose literacy, the individual might be asked to write a "simple description of the type of job one would like to have or locate "three bits of information that were repeated throughout a lengthy news article". For document literacy, the individual might be asked to "match money-saving coupons to a shopping list of several items or "entering personal background information on a job application" or figure out "from a bus schedule the time on a Saturday morning when the second bus arrived at a downtown terminal". For quantitative literacy, the individual might be required to total "two entries on a bank deposit slip" or "to compute the cost of a specified meal" from the examination of a menu. (UNESCO)

4. Other Provinces

In Alberta, students are required to write diploma examinations in biology, chemistry, English, French, mathematics, physics and social studies at grade 12.

The Ministry of Education in Ontario issued a report entitled "Performance Appraisal in the School Systems of Ontario in 1986".

"Questions have been raised regarding the effectiveness of the present provision of teacher training for full professional development. To quote from the Ontario study "Though lip service is paid to it, little provision is made for the individualized professional development to improve performance unless for follow up and monitoring." "... The whole system of in-service training and professional development requires an overhaul ..." and "18. The educational system has to demonstrate, through formal appraisal or other supervisory approaches, that it has a valid, just method of detecting substandard performance and problems at an early stage and have instituted remedial methods for proceeding systematically to review and, if necessary, to dismiss. It is concluded in the review of evidence that incompetent performance is a burden on the whole system." "It is evident that focus on classroom observation is not an appropriate form of appraisal if teaching is a fully professional activity, but there have to be wider and more varied forms of appraisal such as the assessment of diagnosis, planning, choice of strategy, choice of materials and methods in teaching. Techniques of appraisal such as self-appraisal, peer-appraisal, the use of student evaluations or feedback, and management by objectives are all mentioned in the survey of Ontario practice but used in only a small minority of cases or not favoured by teachers."

General Commentary

Report cards should tell parents what they need to know and should be in a language that parents understand so that they can follow their children's educational progress. It is pointless for parents to receive report cards they do not understand. Educators should understand what the purpose of report cards is - it is to report to parents. They certainly do not report to children. That is why they are in the third person. There is a quote, a Japanese proverb: "The slower bird must start earlier". In Japan, no one fails, everyone passes into the next grade. That is because in the cultural milieu of Japan it would be shameful to fail. However, that does not mean that students are not expected to pull their weight. The slower student, the student who has more difficulty must work harder. Juku are not merely for students who want to pass the entrance test to colleges. They are for students as well who need extra help in order to catch up to their peers.

It is fair to say that some schools in the Province were particularly proud of their performance on school achievement tests. There is no doubt that such recognition formed a healthy basis of competition for such schools.

"My greatest difficulty with the report card is that there is no standard yardstick that I can use to measure my child's progress". (From Report Card Confusion - The Chronicle Herald, March 11, 1992). That report notes the frustration of parents over the new sort of report card. The report card intended to evaluate children more comprehensively than before and to reinforce and encourage in children a positive self image. However, some parents find it too subjective, vague and "quite ambiguous" a reference to "some progress", "good progress", "considerable progress" and "excellent progress" does not really tell parents what they need to know.

Teaching is a very difficult job. It is stressful. The teacher population is getting older.

We need to rewrite sections of our Education Act to adequately reflect the requirement that teachers are required to teach competently. That they are accountable to the students, the parents and the school board.

With respect to principals, there is a definitive role under Section 15 of the School Act to supervise the advancement of teachers and to evaluate teachers.

Parents, too, have an obligation. They must support the appropriate discipline process in the school. They must be required to encourage their children's attendance. They must be involved in communicating with schools.

School systems from the Chair of the Board down through staff and teachers through to the bus drivers and custodians must understand one thing. They are serving the students and they are accountable to their parents.

Finally, students have an obligation. They must understand their duty under the law and they must understand the reason for it. We need them to be happy, motivated and learning for themselves and for us. As a young French student told the Committee in Meteghan, "Nous sommes la clé". (We are the key)

Teachers, Principals and Administrators are accountable to School Board Members on all issues. The School Board Member runs the system financially and educationally. They are accountable in all respects. The system must be accountable to members in all respects. The purpose of the test is not to find out who is first (although that no doubt would be of interest to some); the purpose is to find out what is known. If it is not made public, then there is little assurance that there will be accountability.

Teachers in our Public School System exist to serve the students -- they have no other purpose. In all respects, their interest must be subordinate to that of the students

Education Outcomes

One of the difficulties we face in the Nova Scotia school system is that our curriculum is concerned with content and process but is not related to education outcomes. We do not have specific and known standards against which to measure expected outcomes and desirable outcomes. In fact, it is questionable whether we know where we are. Certainly, with respect to a significant percentage of our student population, we know where we are not. That is why it is vital to consider that keeping students from dropping out of school is not good enough. The student who stays because it is a nice environment but is functionally illiterate or innumerate after 13 years of schooling is a failure. However, the system has not failed unless we have given it that particular mandate. Do we know what the mandate is of our school system? Certainly the public expect it to produce literate, numerate and functioning adults who can go on to employment or post-secondary education. The system in fact, as we have heard repeatedly, emphasizes the academic stream to the partial exclusion of the non-academic stream and the exceptional student. Valiant efforts and significant progress is being made and has been made in a number of areas impacting on the non-academic student but we remain without defining the outcomes we want to achieve. An enhanced core program is a positive step -- but specifying course curriculum does not produce results.

It is time that we fixed on certain specified education outcomes for the Nova Scotia School system. We must define the goals of the public school system and from those goals determine standards, performance or competency to be achieved at certain levels within the system. In order to determine achievement at those competency levels, we must have standardized testing of a mandatory nature applied at fixed intervals in the education system, preferably grade 3, 6, 9, and 12. Such assessments should not in any way replace individualized classroom-based testing and individualized assessments nor should such Province-wide assessments be determinative as scholastic achievement. Nonetheless, they must be entry-ways to the next level and must form the basis of assessment in the areas they test.

Some students will succeed regardless of what kind of system you have. But most students need assistance with their education. We need to provide a compulsory core curriculum, set standards for our teachers to follow, make our teachers and the administration of school system accountable to the public, set provincial standards and accountability for the curriculum.

We must define goals. If we cannot define our education goals then we are lost. We need to set standards. If we cannot set standards for what our children need to achieve then we are in big trouble.

We need to define those goals, to set those standards and then to measure achievement against those standards that we have set. Then as we measure, to make public the results so that students and parents know what is happening in the classroom and in the schools.

We need to identify expected results and desired results (targets).

When we know where we are, we must determine (assuming we are not where we should be) how to attain those expected results.

There are those students who will not achieve expected results in all areas. We must, for those special students, determine essential levels of learning that they must be equipped with to face the world. It will take specialized curriculum adjustments.

If we are to appropriately emphasize essential learning -- critical thinking, learning to learn, adapting to change -- perhaps we need to test for them.

Assessments

It is noteworthy that there is an almost universal desire for a standard education of high quality right across the Province with equal opportunities for all students. At the same time, there is without doubt the desire for local control in a number of areas. Sometimes these principles are incompatible.

Education goals must be standard. Education expectations must be standard. Curriculum must be standard. There must be a standard element to discipline policies, rules and expectations. However, when it comes to educational instruction and options, there is little doubt that creativity at the classroom level should not be stifled.

Student evaluation is an absolutely necessity. It should be carried out both Province-wide and on a school by school basis.

To provide appropriate accountability, Nova Scotia needs a comprehensive testing system of a Province-wide nature that will allow ongoing assessment of educational results at different levels. Those levels should be grade 3, grade 6, grade 9, and grade 12. The use of testing on a Province-wide basis should not be considered to be the only type of assessment taking place. Indeed, this type of assessment should be a measurement of certain types of abilities,and should be recognized unless the assessment strategy is broadened to include more complex behaviour and to account for special learning difficulties, not to be the all-inclusive assessment tool. Teacher-classroom based assessments must continue to be an important part of the process. Nonetheless, learning results and accountability on a system-wide and Province-wide basis together with some uniformity and direction will be more easily measured by Province-wide assessments.

When the Select Committee on Education was provided with the Nova Scotia Achievement Test results, the information came with a disclamatory caveat which was somewhat alarming. The test results were not considered to be accurate because although they were given in every classroom, it was believed that some teachers sent students home to ensure that they did not write the test on the day the tests were given because of the poor results scores would have. In some cases, the tests were taken seriously by the teacher and student and students were mentally prepared for the challenge. In other cases, teachers and/or students did not take the test seriously, students were not prepared to do their best.

For testing to be meaningful, it must be mandatory for all students. Although test results should not constitute grade results within the classroom and for purposes of intra-school achievement, nonetheless, all students must know that the assessing process is a gateway to the next level on a pass-fail basis and that the process is to identify their strengths and weaknesses for purposes of how they can be assisted by the school in improving or embellishing their assets.

More importantly, the results of such tests made available to students and their parents coupled with the scores for individual schools and Boards made public will introduce accountability into a system that does not now exist. Under the current arrangement some parents and students were aware of their scores. In other schools, they were not so informed. To be truly accountable, the results must be known to students and parents and the parents ie. the public should know how schools and systems are comparing across the Province. To talk about equal education opportunities across the Province, it is not sufficient to talk about the resources going into any given system. Because of vast differences in teaching strategies, in skills, in interest and ability, in rural and urban Boards and their approaches to learning, if results are not measured then it is absolutely impossible to tell whether an equal opportunity or access to education is being provided.

There will be many objections to this approach and recommendation.

Some will suggest that such tests measure only certain things and some things that are important and should be taught in schools will not be assessed. Perhaps we should find a way of assessing those things as well. If not, then everyone should know that only certain things are being assessed which is why the teacher classroom based assessment modeled on a Province-wide curriculum and applied in a fashion acceptable both to the Department, local Boards and the schools should continue to be a vital part of the assessment or learning process. There is a very legitimate concern with respect to students with special learning difficulties ie. who are unable to learn in the traditional fashions. It may be that special testing should be fashioned for such students as part of the Province-wide assessment. It is vitally important as we proceed to tackle in a meaningful way the difficulties with special education that we are able to measure those results on an individual Board-wide and Province-wide basis. If we are unable to test and measure the result of our efforts in special education, then we will be unable to monitor appropriately and to alter effectively teaching and education techniques necessary to properly service those young people with those special difficulties.

The test should help us to determine education results at all levels and for all learners.

To be truly accountable, although individual student's scores must remain the private property of the student, his parent and the school system, the result of school-wide achievement results and Board-wide achievement results should be mandated public information. Parents particularly, and older students as well, have a right to know how "their school" is doing. Parents have a right to know, as do students, how their School Board is doing.

There are probably many good arguments in favour of retaining some confidentiality of score results. It is suggested, however, that in the interests of accountability, there should be no hesitancy to be honest about how our schools are doing. The purpose of the tests, in fact, is not merely to assess individual children, although great benefits should be achievable on that basis alone. One of the significant benefits of testing is to hold schools accountable. Many educators will suggest that any form of testing, even limited to certain types of skills, will only encourage "teaching to the test". The counter-argument to that is that at least that much will be accomplished. The fact is that if we have to deliver a Province-wide education of equal opportunity, then it is impossible to do so unless we measure the results of that opportunity.

To the extent we can agree on appropriate national testing and to the extent it may be applicable, Nova Scotia should participate in such testing. However, we must proceed on our own initiative, particularly so far as areas or grade levels where national testing will not occur.

Testing can be as broad or as narrow as you wish. What is envisaged as a minimum is not necessarily a subject-based test, but rather the type of general literacy and numeracy test provided by the NSAT's.

Testing has a specific and limiting purpose -- but it is a vital one. It should not be confused with or seem to be in conflict with insuring the increased availability and viability of alternative programming, particularly at late Junior/early Senior High, Province-wide, District-wide, or individualized strategies of instructions for exceptional students, including those with learning disabilities.

It has been stated, the curriculum of the Nova Scotia school system is concerned almost exclusively with content and processes. Learning outcomes are not measured or assessed in any way. Indeed there is no uniform standard for such outcomes. As a result, there is a significant failure of accountability. The result is a system which is not doing as good a job as it can do and in which the persons to which we are all ultimately accountable cannot be sure of what the outcomes are.

It is time to engage in a discussion of the needs and purposes of learning outcomes, the method of assessing such outcomes, the provision of appropriate assessments at appropriate intervals in the education process (grades 3, 6, 9 & 12) and the provision for Province-wide testing to measure certain specific education outcomes that will provide us with the information necessary to know how well we are doing and where we are failing.

To provide a true measure of accountability, such test results must, on a school by school and board by board basis, be made public so that the parents and students know how their school and their school board is doing. In addition, to ensure accountability, it is vital that literacy rates, numeracy rates and dropout rates on a provincial and board by board basis, as may be appropriate, be made public. The issue is simply accountability. The public have a right to know how well or poorly the education system is doing.

The Committee recommends:

1. **The Department of Education implement a system of Province-wide testing to test literacy, numeracy and math skills and such other learning outcomes as are deemed appropriate:**

    (1) **That such tests be administered at the grade 3, 6, 9 and 12 levels in the Nova Scotia school system.**

    (2) **That such testing be mandatory for all students (with appropriate provision made for special needs of exceptional students).**

(3) That results of such assessments be made public on a regular basis together with such other information as the Minister deems appropriate to ensure that all persons having a concern with the Nova Scotia education system are fully aware of learning outcomes and other information relevant to an informed understanding of the public school system.

(4) That the Minister of Education mandate by regulations that students and their parents and guardians be regularly informed of the results of ongoing classroom testing, assessment by teachers and achievement tests.

2. That the existing Section 54(a) of the Education Act be amended to provide that it is the duty of a teacher in a public school to teach competently and diligently.

Section XVIII

ALLOCATION OF RESOURCES

Submissions

1. Financial Submissions

How can the Department expect Boards to manage their fiscal responsibility when the Department will not fund items that the Department has negotiated?

Why are substitute teachers paid according to their license instead of a flat rate?

Why does the Department stress financial responsibility over the educational part of the budget?

The Walker Report's first recommendation was that funding be based on programs, yet this was never implemented.

Financial restraint may govern public education for some years to come. Enlarging class sizes is not an option. Nor can we ignore special education needs. This leaves only two areas for movement. The number of course offerings in grades 10, 11, and 12 (which should be reduced) and more importantly the 12% of the professional staff classified under administration.

If there is a shortage of money, then the first priority must be the classroom teacher.

Funding is not the problem with providing a good basic education. The frills could be eliminated.

There are three aspects to education infrastructure. Namely, schools, teachers and buses. All three must be adequately funded.

The allocation of funding for education does not allow any flexibility. The process of reviewing the Education Act will only vest more control in the Department of Education.

School boards should be provided with adequate independent funding to covermandatory requirements expected of them by other levels of government.

First course offerings. Why do we frequently change textbooks? Why make such a wide range of course offerings available at high school level? There are in excess of 100 courses from which the student had to select his 18 credits for high school. This wide selection contributes to the reported inadequacy of funds available for texts of all students and nor does such a selection add to the standard of achievement of Nova Scotia students.

More importantly, the 12% of staff paid administrative grants: Can a school district operate successfully with a Superintendent with one or two Executive Assistants, not necessarily teachers, plus a principal in each school with one Executive Assistant, not necessarily a teacher, together with all necessary secretarial help.

Grandfather all existing administrative salaries until the new salary scale catches up to them and reassigns such administrators within the system to positions they are qualified to fill. In addition, any newly appointed administrative position other than principal or superintendent would have to be paid for by local taxpayers 100%.

Set the Municipal contribution at 37 cents for each $100 of assessment. Set it for five years. There is no need to adjust it annually. The rate for 1992 equals the rate for 1982.

2. Provision of Services

Changes with respect to the layoff provisions and teacher certification will, in the course of time, allow for greater flexibility and better delivery of services and education within the classroom.

Student librarian graduates from community college should be used as school librarians instead of individuals with college degrees or teachers working in our school libraries.

With respect to student school attendance, it has been suggested that it is difficult to expect students to attend school on a regular basis when some teachers do not.

3. Substitute Teachers

When you review the budget of School Boards for substitute teachers it would appear the school system may have a serious problem with teacher absenteeism. Millions of dollars is spent on substitute teaching costs. An issue of concern to the taxpayer.

One School Board has urged a daily flat rate for substitute teachers who are employed on a daily basis or for twenty or fewer consecutive days. "A substitute teacher who is hired for a short period of time is not involved in the overall planning, organization, preparation, marketing, etc. that the regular teachers are involved in as most of this is done with a regular classroom teacher. Consequently, it is suggested that the daily flat rate be established for the short-term substitute situation."

Staff of the public education grants and finance division of the Department of Education analyzed substitute teaching costs for all School Boards in 1990 together with provisions in local union contracts governing substitute teachers. They found a direct relationship between the extent of substitute hiring and the flexibility or control provided a school or school board administration hiring substitutes.

Lunenburg County and Antigonish District School Board are among the most-efficient in substitute teaching costs as a percentage of total teacher salaries. Local agreements for those Boards give the School Board Administration some discretion over substitute hiring. On the other hand, Digby and Annapolis District School Boards have the highest percentage of substitute teaching costs of total teaching salaries. In these cases, local agreements stipulate that a substitute shall be hired whenever a teacher is absent. The Board has little discretion over substitute teaching hiring. The 1990 expenditure by way of instructional salaries and substitute teaching expenditures together with the percentage the substitute teaching costs are of total instruction salaries appears as Appendix O. As well, Article dealing with substitute teaching costs taken from the Lunenburg District School Board contract and one from the Digby local contract are appended hereto as Appendix P. It is noteworthy that the substitute teaching cost as a percentage of total salaries range from a low of 2.08% in Queens County to a high of 5.08% in Digby County. Total costs for substitute teaching expenditures in the Province of Nova Scotia in 1990 was $17,311,000.00.

Appendix Q1 entitled Substitute Teacher Cost indicates the cost per student. Appendix Q2 indicates the cost per teacher and Appendix Q3 indicates substitute teachers cost as a percentage of total salaries. These charts are drawn from information contained in Appendix O indicating substitute teacher expenditures Province-wide.

Substitute teacher expenditures are a costly item in the overall school budget averaging some 3.68% of total salaries. Substitute teacher expenditures cost an average of $1,625.46 per teacher and an average of $105.11 per student in the system. Again the range per system varies from a low in Queens of $884.85 per teacher and $58.11 per student, to a high of $2,276.54 per teacher and $149.71 per student in Digby. The reasons for the variations will vary from board to board but a very important element may be the wording of local contracts in this regard.

Observations and Recommendations

Appendix R shows the pupil-teacher, pupil-administration and pupil-total teaching staff ratios for each of the Boards in the Province. Such ratios do not in any sense demonstrate what is happening in individual classes but rather are only applicable on a system wide basis. Nonetheless, the figures do show the size of administration in our school systems across the Province and the wide variation in those sizes.

The graphs shown in Appendix S-1 and S-2 show the appropriations to district school boards per capita in 1989 for all cities and towns. They range from a high of $311.80 per capita in the City of Halifax to a low of $42.60 per capita in the Town of Dominion. Appendix S-3 shows the appropriations per capita to district school boards by rural municipalities in 1989. In this case, appropriations per capita range from a high of $123.00 in the Municipality of Queens to a low of $59.60 in Hants East. Appendix S-4 lists all school boards in Nova Scotia and the municipal units which fund education in that district. Appendix S-5 shows, again on a per capita basis, the appropriations to district boards from every municipal unit in each district. It is evident that a wide range of municipal support exists in each district school board. The range of municipal support for education varies from a high of $311.80 in the Halifax City School Board to a low of $66.80 in Northside-Victoria District School Board.

Appendix T-1 demonstrates the district school board appropriations as a percent of the total expenditures of the municipal units from 1982 to 1989. It can be said in looking at these charts that for all municipal units, there has been a decline in the total percentage expenditures paid by municipal units to district School Boards between the years 1982 and 1989. It is noteworthy that there is a significant disparity between cities, municipalities and towns in the percentage that those appropriations of district School Boards bear to their overall expenditures. Municipalities have the highest percentage of those expenditures going to education. Similarly, district school board appropriations as a percent of the total taxes collected by the municipal units from 1982 to 1989, have declined at an even greater rate. Appendix T-2 shows that, on average, this indicator of educational burden has fallen from 32.6% in 1982 to 26.7% in 1989. The greatest decreases came from the burdens faced by rural municipalities which decreased from 45.3% in 1982 to 33% in 1989.

A consistent theme that the Committee has heard in relation particularly to student discipline, attendance and the dropout rate is the lack of relevant programming, particularly at junior and senior high school level and the lack of specialized resources to deal with those students who have varying degrees of ability and personal difficulties.

The provision of tutoring and mentoring services together with student peer assistance on a Province-wide, board by board and school by school basis can be an additional essential resource available to all schools in all districts. Policies must be adopted by Boards to accommodate such changes. In rural areas with busing requirements, it will be more difficult but it can be accomplished.

There is a wide disparity across the Province in the ratio of administrators to classroom teachers (based on a full-time equivalent). The range is from approximately 9-1 for Richmond, Halifax and Dartmouth to a high of over 14-1 for Cumberland.

Any future consolidation of boards must not reduce the ownership that parents and communities have in their schools. The key is not whether boards are consolidated but whether they are, through efficiencies of whatever nature, able to provide a consistent level of education consistent with that provided in other and larger areas. If two boards can share administration in certain respects or staffing then that would be a way to proceed.

The Province has been unable, within the existing fiscal framework, to find the resources that virtually everyone agrees should be provided for special education. The guidance resource and counselling specialties have suffered. As a result the classroom teacher has had to deal with a wide range of problems both educational and behavioral that have increased the stress level in the classroom and no doubt affect the education of all students in the class.

The fiscal base has not improved for education and will not improve in the short term. The challenge that is faced in education is to do a better job with the same or fewer resources. The issue involves the allocation of resources.

Over the past ten years there has been steady decline in classroom size at least as viewed across board figures. Nonetheless, it is arguable that the challenges facing the classroom teacher have increased because of integration and the special challenges imposed by a broader curriculum and a broader class population.

Total Provincial grants for special education for the 15 month fiscal year of 1991-92 was $48,565,040.

There is a responsibility for teachers to engage in professional development. However, the Department of Education, together with the School Boards and the NSTU must identify the best ways of forecasting, changing needs within the system and of allocating their human resources to meet those changes. Forecasting is vital -- both from the point of view of the children in the system, and from the point of view of teachers who must be given the time and opportunity to adapt and retrain for such changes.

In dealing with the issue of resources, it is worthwhile to consider some basic principles underlying our system of education:

(1) Each student has the right to an education.

(2) Each child must attend school.

(3) The parent has the primary right to choose the education appropriate to their child.

(4) There should be alternative forms for the education of children. Subject only to the Minister's approval a parent should determine the proper education for their children.

The Committee recommends:

1. **That the Department of Education, in consultation with the NSTU and NSSBA, determine the appropriateness of implications of the provision for a single Province-wide contract to deal with all matters now contained in local contracts having regard to the possible benefits, if any, for school boards, teachers, and the education system.**

2. **That the Department of Education in consultation with the other partners in education complete a thorough review of the school day and the school year in Nova Scotia, for the purpose of making appropriate recommendations to the Minister of Education with respect to the length and use of the school day and the length of the school year including specific recommendations as to whether additional school days should be added.**

Unless the current provincial financial situation changes, there are no additional monies going into the education system. Indeed, there is some suggestion that there may be some retraction in years to come. There cannot be very much retraction but it is plain we have to do a great deal more than we have been doing with the same resources. It is vital that we obtain essential guidance services in elementary and that special education resources in the way of special education teachers, and particularly resource teachers in junior high school, be made available. There is significant work to be done in teacher training in special education. There is alternative programming which must be made available to those students that are at risk in junior and senior high. We continue to have a serious illiteracy rate. We have a drop-out problem but we also have a problem with not properly educating those who remain in the system. We are losing a good many students who have learning disabilities or learning difficulties that we are not meeting. Therefore, there has to be a re-allocation of resources within the system. To do so, we have to find legitimate means of saving money.

3. **The Department of Education, in consultation with NSTU and NSSBA, examine the quality and cost (in financial and human resources) of in-service training both with respect to local in-service training, provincial in-service seminars, and travel for senior administrators with a view to devising the most efficient method possible of delivering meaningful in-service training to teachers without compromising the best use of resources in the system.**

In order to provide the resources necessary to accept the new challenges required in special education, with multi-handicapped children, with guidance in elementary and additional resource teachers in junior high, to develop appropriate programming in late junior and senior high school for that third of students who remain at risk even while they remain in the school system, will require resources from within the system. It is essential that School Boards through the NSSBA and where appropriate the NSTU and under the direction of the Department of Education, engage in a thorough review of all Board practices, expenditures, and resource allocation to determine every available method consistent with the delivery of an educationally sound program to ensure the reservation of those necessary resources to be dedicated to classroom teaching. Such measures, particularly relevant in the case of smaller Boards, might involve the sharing of administrators and teaching personnel. It would be inappropriate to make specific suggestions other than in particular areas already pointed out in this report. However, the Department of Education and the School Boards should generally be aware that this is a problem experienced across and country in other jurisdictions as well and there are many appropriate suggestions.

Section XIX

OTHER SUBMISSIONS

The following are a synoptic view of other submissions that were made to the Committee which may or may not be dealt with in other parts of the report.

1. Municipal Board

There is some concern about the current provisions in the new School Board's Act regarding the power of the Municipal Boards to consolidate school districts of their own initiative. This should be looked at carefully.

2. Text Books

For grades 10, 11, and 12 textbooks should be on a rental basis.

3. Protection for Learning Disabled

Specific protection for the learning disabled has been provided with new amendments to the Human Rights Act. Such a move could well have implications for the classroom setting. It may impose a requirement on School Boards to provide additional services not currently provided so that the learning disabled child is receiving the same education and the same opportunity for education as other children.

4. Right to an Education

The Nova Scotia Education Act should stipulate that every student has the right to an education.

5. Athletics

Athletic activities support the academic mission in schools. Students who participate in activities programs tend to have higher grade point averages, better attendance records, lower dropout rates, and fewer discipline problems than students generally.

Activities programs provide valuable lessons in practical situations - team work, sportsmanship, winning and losing, hard work. Students learn self discipline, build self confidence and develop skills to handle competitive situations.

Studies indicate that participation in school activities help both student attitudes towards self and school and in drop out rates and discipline.

> "... The single most common characteristic among successful people is that they were involved in student activities at school". (American College testing survey - 1977).

Athletics teach the value of active, vital competition and co-operation with other people.

The Committee learned of the important role of the Nova Scotia School Athletic Federation, its history and the tremendous involvement of students in our athletics throughout Nova Scotia.

Schools should provide opportunities for students to develop knowledge, habits and skills relating to achieving and maintaining good health and physical fitness.

There are 163 member schools registered with the NSSAF and in grade levels from 7 through 12. There are over 1600 teams registered to compete within the NSSAF. The Federation offers 15 different sports and declares over 60 championships per year. These activities involve many thousands of students in our school system. Over one million dollars is spent annually by schools on activities in this Province. Transportation costs account for 75% of athletic budgets.

Teacher training institutions should provide meaningful preparation for participation in the co-curricular activities of the school as part of their program.

Unlike the real world, class work "emphasizes the individual rather than the group; school rarely requires students to lead or direct others, and it enforces a message that a promotion is due every year". Yet the real world is different. Athletics can teach the difference.

6. Questions

How can the Department direct the system if there is no strategic plan?

How can you operate with two-tiered bargaining?

Why do we have such a short school term?

Why do we have supplementary funding?

7. Special Grants

Special grants for isolated schools should be incorporated into the funding formula.

8. The Process

The Committee was urged on the necessity for a Royal Commission to study all aspects of education in Nova Scotia. Questions of finance, student services and curriculum must not be studied in isolation.

The suggestion was made that the issue of teacher layoffs and classification should be left to the collective bargaining process and should not be dealt with by the Committee. The suggestion was made that the Committee should not proceed too quickly to make recommendations on some of these issues. That delay was better than error. The suggestion was made by several presenters that a Royal Commission or other such body should examine the entire education system and take sufficient time to do so.

The provincial legislature should "cause to have the goals of education defined and the outcomes of learning expected of the majority of children/youth well described." Such goals should be communicated to school boards, other government agencies, and the public at large. The Province must continue to build, repair, and update facilities in all areas of the Province. Such work should be based on the greatest need and not on political grounds.

A statement should be added to the Education Act mandating a thorough public review of education every 15 to 20 years or more frequently if that appears reasonable.

A Royal Commission on Education is overdue rather than the piecemeal approach to examining education that has occurred in the past few years.

The consultative process, although appropriate, has not done justice to the fifteen items before the Committee, the core curriculum or the Doane Raymond report because they are being studied in isolation. A Royal Commission is needed for a comprehensive public review of education. Changes in education could be put on hold for two years.

A Royal Commission be established immediately to conduct a comprehensive public review of education.

There is not sufficient time to review and reflect upon each of the fourteen issues to the extent it would be desirable within the time frame provided.

Some presenters questioned the process saying that the work of the Committee was rushed and did not allow ample time for response to the submissions.

9. The School Year

There are too many days off for students because of teacher in-services, conferences, etc. Too much time is taken from student classroom time. In-services should be held in the summertime. Information from in-services should be made public, particularly if it impacts on school system's policies or curriculum.

Students lose too much of what they learn when they are away from school in the summer break. A month of classroom time is wasted at the beginning of each school year reviewing previous years material.

There should be a shorter summer vacation and perhaps consider having short breaks throughout the school year to allow additional time with families.

There is merit in the European system of all year schooling with Wednesday morning off and classes on Saturday morning to break up the week.

The school day should be lengthened. Based on a forty week year, 900 hours is only 22 1/2 hours per week or 4 1/2 per day, barely enough to keep the mind occupied and certainly not enough to provide a challenging curriculum.

Government must establish the length of the school year.

There are too many days off for students because of teacher in-services, conferences and the like. Students lose too much time over the summer holiday. There should be short breaks throughout the year and short summer vacations.

Standard summer vacation is too long. Most students lose much of what they learn almost three months away from school. A month of classroom time is wasted at the beginning of each year in reviewing the previous year's material. Shorten the summer vacation and have short breaks throughout the year so families can have the opportunity to make vacation plans more suitable to their own schedules.

10. Community Schools

There was considerable support for the offering of continuing education programs and services - adult education. These contribute to the concept of lifelong learning.

The goals of all Boards across the Province should be to;

(1) promote the community education concept
(2) promote and utilize schools for more than "classrooms and homework".

A community school is the most logical channel through which a co-ordinated approach to identifying and serving community needs can be made. Community education programs should take place during daytime and evening hours. Adequate provincial funding should be made available for Boards to make continuing education a priority.

11. Volunteers

Each community has human resources that can be called upon in classroom situations.

12. Teachers Salaries

Concerns were raised about teacher salaries and benefits and retirement bonuses.

"Most teachers are confident and progressive.... Their union on the other hand seems to be steadfastly dedicated to the status quo."

"Education is far too important to be left to the school teachers and their union." Education comes first.

The Teachers Union must not be permitted any say in the management of schools or curriculum. The teachers union represents the interests of teachers. Parents represent the interests of students.

There are too many husband and wife teams in the education system.

13. Goals and Purposes

All statements in the Education Act and regulations should be based on clear goals, objectives or statements of purpose for quality public education.

Schools should continue to be free to the children and youth of Nova Scotia. Children and youth should have the right to attend school from age 5 to 21. Schools should also be made available to the public beyond this age (Queens County School Board).

"Nova Scotians must dedicate themselves to reforming the educational system so that it is a benefit to all..."

"The Schools Act of 1864 introduced the concept of a free education to all children in Nova Scotia. The Pothier Report added the concept of an education service that would be equitable throughout the Province. Equal programming based on an equitable tax burden. Now, we should introduce a third grade principle: that free public education should be appropriate to the needs of the pupil citizen. The legislature must agree that school should ameliorate social conditions for children when necessary, serve the gifted, the talented, the physically handicapped, the mentally handicapped and the learning disabled. You should further describe the emphasis the legislature wishes to place upon pupils as autonomous human beings, pupils as citizens and pupils as producers within our economic system." (The Nova Scotia Teachers Union)

The Education Act must state that the school "as a major social institution must impart knowledge and foster skills. ...Legislation must permit students to participate in the program of the public schools to the maximum of their ability and need."

A fundamental statement of purpose must be integral to any revision of the Education Act. Otherwise you cannot decide what to finance, who is accountable, know what services must be created or improved in the next decades."

There are competing demands on our school system. Our schools serve many masters; the church, the state, university, industry and commerce, among others. "It is necessary for legislators who must reconcile competing demands, to reaffirm in law that the child is the central reason for schools." Our schools exist in a national context and an international context. They are centres for the delivery of services for an entire generation, services not confined to the intellectual or cognitive development of the child but include health, social and community services.

The NSTU recommends that Section 3(1) of the Act be amended to read "All schools conducted under this Act shall provide free, equally accessible and appropriate education to every person who has a right to attend." Which would embody the concepts of: 1) free education, 2) equity in education and 3) appropriateness of education - appropriate to the needs of the student.

14. Surveys

The Minister of Education should cause "independent school district reviews (commonly referred to as surveys) on a rotational basis" so that each Board receives an assessment every 7 years. This could be a role for school inspectors to play. Regular evaluation of learning outcomes such as NSAT's should be continued but broadened to include earlier levels such as grade 3.

15. Alternative Programs

Ongoing evaluation of children in alternate programs must be carried out by the Department of Education.

16. Province-Wide Contract

The Province has total or almost total control of the School Board funding. The Province should be required to provide resources to meet agreements that the Province reaches. Perhaps there should be a single agreement with the N.S.T.U. to avoid the current situation where there are 21 separate local agreements many of which are monetary related.

If the Province moves to the assumption of 100% of the cost of education, then there is no reason why local Boards should maintain the right to negotiate local agreements. Certainly by that time the system should have changed. Education is being funded Province-wide with the view that it be funded at an equal level as much as that is possible. How can School Boards, if they are not generating funding of their own, be in a position to enter into agreement that to varying degrees require financial capabilities. All of the issues dealt with in the local contract having financial implications should be dealt with at the provincial level and negotiated in the provincial Agreement. In that way, common levels of in-service training, sabbatical leave or other types of benefits, if they are deemed to be appropriate by the parties at the time as matters that should be paid for by the employer, can be dealt with on a uniform basis Province-wide. Some would suggest that it would remove from School Boards the flexibility to enhance at a local level their own system. This is true, but if they do not have the financial resources to rely upon then they don't have the flexibility in any event. If some other model of funding were adopted then obviously these remarks would have to be reconsidered, in light of such changes. As a matter of principle, license enhancement and other training,including sabbatical leave, should be paid for by the teacher benefitting from the process.

If it were possible to start fresh, then a single contract with the Teachers Union for the entire Province would be the way to go.

17. Other

The age at which children must begin school should be consistent with other Provinces.

There is a need for long-term planning.

There is a very serious need for vocational training and not necessarily school based alternate programming. There is a very great need for co-operation between government, schools and business.

There is a need for a major restructuring of the education system.

There needs to be more funding for resource teachers. Peer coaching could be introduced. The education system needs to move towards the concept of the teacher as a facilitator of education.

The Ministry of Education should be enhanced in prestige in order to permit the Minister greater latitude in solving and preventing conflicts.

Some schools have a semester system which they find is working well.

Do we want a centralized or decentralized education system in Nova Scotia?

Section 54(f) mandating instruction as to the effect of alcohol and narcotics should be removed from the Act since it is already part of the curriculum.

Teaching takes place in the classrooms of the Province, but the climate for education is set in the legislature.

"H. D. Wells has said, 'The future is a race between education and catastrophe'."

It is necessary "for teachers to have stability, respect and the resources to do the job."

Only the people with whom the students come in contact every day can accomplish the reformed agenda.

The teachers need the support of the elected members of the House of Assembly.

The Graham Royal Commission made a number of positive suggestions and recommendations many years ago. It is unfortunate that these recommendations were ignored.

School buses should be used for public transportation. Children and seniors could travel free and others would pay a fee to use the service. This would allow children greater flexibility in being able to stay after hours.

There is tremendous apathy which may explain why this Committee may not have a good response.

Observations and Recommendations

It is noteworthy that the 1991 School Board elections resulted in some 200 school board members being elected in 21 Boards, 93 of whom were returning members and 107 of whom are new members. Those statistics are shown Board by Board in Appendix U.

A great number of issues facing the education system must be resolved by all of the partners in education working together collectively in schools, in districts, and provincially under the guidance and direction of the Minister and the Department of Education. The most important partners in education include teachers, School Boards, the parents and students. In formulating policy and specifics to be contained in legislation, the Minister and Department should consult with the two important or main institutional partners in education, the Nova Scotia School Board's Association and the Nova Scotia Teachers Union. Consultations should not be limited to those, particularly where individual Boards and individual locals of the Teachers Union as well as individual educators (including teachers) and other citizens can provide valuable input, as they have before this Committee. Nonetheless, on many issues the NSSBA and NSTU must provide leadership and under the direction of the Minister assist in the formation of appropriate recommendations for legislation. Ultimately, it is for all the partners to determine how much they wish to participate and ultimately it is for government to act in the best interest of the students of the Province.

The presentation made by the Nova Scotia Teachers Union to the Select Committee urged the entrenchment of an important principle in the Education Act, and that is the principle of appropriateness. Added to the principle of free education and the principle of fundamental equality, should be added the concept that education should be appropriate to the needs of the pupil. In addition to that principle, which is recognized in other Education Acts, including the Saskatchewan Education Act, is the principle that every student has the right to an education. (entrenched in several Provincial Acts).

A number of presenters commented on the actual amount of instructional time we are providing our children, the length of the school day, the length of the school year, the number of days of actual teaching. Although Nova Scotia does not have the shortest school year in the world, neither does it have the longest. In Japan, the school year is approximately 240. In West Germany it is anywhere between 226 and 240 days. In addition, in Japan the existence of Juku provide an additional five hours a week in additional school time to children. Although quantity does not always equal quality, more exposure to learning, particularly if quality is not there, can only help.

The current school year in Nova Scotia is 195 days. The school day is between 5 and 6 hours except in grades P to 2 where school boards can choose to have a minimum of 3 hours per day. The Minister of Education regulates the school year, day, vacations, and holidays. However, it is the subject of the Provincial Agreement and changes involve the collective bargaining process.

Arguments for lengthening the school year include the suggestion that students forget some of what they learn over the summer holiday and valuable time is lost in the fall in relearning. In addition, until we learn to learn smarter, learning longer might mean learning more. Many groups in this country would oppose the lengthening of the school year for obvious reasons.

Article 26 of the Universal Declaration on Human Rights states as follows:

> (1) Everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory. Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit.
>
> (2) Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedom. It shall promote understanding, tolerance and friendship among all nations, racial or religious groups, and shall further the activities of the United Nations for the maintenance of peace.
>
> (3) Parents have a prior right choose the kind of education that shall be given to their children. (The Universal Declaration on Human Rights was adopted and proclaimed by general assembly of the United Nations on December 10, 1948).

A number of the issues raised in this section are dealt with in other parts of the report. A number of issues are not otherwise dealt with. With respect to recommendations, the Committee will deal with one matter not dealt with otherwise. The principle enshrined in the universal declaration of human rights: "Everyone has the right to education." is not enshrined in our legislation. Our Education Act provides that persons between the age of five years and twenty-one years have the right to attend school. It is appropriate that we go further.

The Committee recommends:

> **The Education Act be amended to provide that every person who has a right to attend school has the right to receive an education.**

STATEMENT OF SUBMISSION

All of which is respectfully submitted to the House of Assembly this 31st day of March, 1992.

Derrick J. Kimball, MLA
Chairman

I concur

Roger Bacon, MLA

I concur

John MacEachern

John MacEachern, MLA

I concur subject only to the Condition of Concurrence appended hereto.

Danny Graham

Danny Graham, MLA

I concur

Al Mosher, MLA

I concur subject only to the Statement appended hereto.

John Holm

John Holm, MLA

I concur

Gerald O'Malley, MLA

I concur

Hon. Neil LeBlanc

I concur

R. Colin D. Stewart

Dr. Colin D. Stewart, MLA

CONDITION OF CONCURRENCE

Submitted by: Select Committee Member
Danny Graham, Inverness South

Notwithstanding, the fact that I am in complete concurrence with the recommendations as submitted by the Committee, in as far as fulfilment of its mandate is concerned; as a condition of signing this report, it is necessary that I make a recommendation as a single member of the Select Committee.

Based on a recurring theme as brought forward by presenters across the Province of Nova Scotia, a group must be assembled consisting of representatives from all partners in education with the expertise to utilize, as a basis, the findings of the several current bodies which have examined separate and distinct segments of the education system so that a comprehensive long range plan for excellence in education based on desirable global societal goals will be established.

Respectfully submitted,

Danny Graham

Danny Graham, MLA
Inverness South

STATEMENT

Submitted by: Select Committee Member
John Holm, Sackville

Notwithstanding the fact that I am concurring with the recommendations of the Committee in so far as its mandate is concerned, as a condition of signing I feel it is necessary to make the following statement.

The primary purpose of the education system and those charged with the responsibility of delivering it is to meet the full range of educational needs of our youth.

We had the Graham Royal Commission on Education. In recent years and months, we have had the Doane Raymond Report, the P.S.P., the yet to be released Department of Education's The Core Program and Related Services for Nova Scotia Schools and now the two reports of the Select Committee on Education. In addition, the Province recently established a community college system, a Nova Scotia Council on Higher Education and, now, the post-secondary education system is under review.

As important as these reports may be individually, one is left with the distinct impression we are examining the limbs individually without looking at the well-being of the body as a whole. While not advocating the creation of another commission, I believe there is a need for the stakeholders in education to look co-operatively at the entire education system in the Province, its needs and objectives. We need an overview.

I believe the Department of Education, in partnership with the shareholders in education, needs to develop a clearly articulated philosophy of education. When this has been done, both the broad and the specific goals and objectives of education can be established and the various reports evaluated. When the philosophy, goals and objectives of education have been articulated it will be possible, through co-operation, to establish an evaluation system and to determine resource needs and how they best may be allocated.

Respectfully submitted,

John Holm, MLA
Sackville

ACKNOWLEDGEMENTS

The Committee would like to acknowledge the help and cooperation of all those who assisted the Committee in its work and in the preparation of this report, a special thank you to those who took the time to meet with the Committee and otherwise offered advice and assistance. In particular, the Committee thanks all those who appeared before the Committee or submitted written presentations. They are listed on the following pages:

ORAL PRESENTATIONS

Baddeck
November 14, 1991

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Dr. Michael Ojeleck
Mr. Daniel MacPhee
Ms. Catherine Gillis
Ms. Barbara Downey
Ms. Morag Graham
Sister Catherine MacEachern

Development Association of Inverness County
Mr. Bill McCarthy

Inverness School Trustees
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Mr. Hector MacKenzie
Ms. Linda Cameron

Margaree Forks Home and School Association
Mr. Brian Peters
Ms. Wilfridine Crowdis

November 15, 1991

Nova Scotia Teachers Union
Ms. Norma Marsh
Northside-Victoria District Local
Ms. Joan Ling
Cape Breton District Local

Pastor of St. Mary's Parish
Rev. V. R. Boutilier
Mabou, N.S.

Save our Schools Committee of Margaree Forks
Ms. Liz Birch
Spokesperson

Halifax
November 19, 1991

Cole Harbour/Westphal Community Committee
Mr. Harry McInroy, Chairman
Ms. Nancy Dempsey, Secretary

Private Citizens
Mr. David Barrett, Secretary
Barrett Lumber Company Limited

November 20, 1991

Nova Scotia Teachers Union
Mr. Ron Morrision, Assistant Executive Director
Mr. Russell MacDonald, President
Mr. Emmet Currie, Executive Director

Private Citizen
Dr. Owen Carrigan

Sydney
January 14, 1992

Comite du Centre Scolaire et Communautaire
Mr. Laurent Lavoie, President

Comite Parents/Professeurs d'ecole NDA a Cheticamp
Ms. Ginette Chaisson, Treasurer
Mr. Wilfred Aucoin, Vice-President

Comite regionale de la FANE a Cheticamp
Mr. Albert Poirier

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Mr. Dave Sampson, Superintendent

Richmond Local - Nova Scotia Teachers Union
Ms. Lorena Forbrigger, Chairman, Brief Committee
Mr. George Landry, Local President
Mr. W. A. MacNeil, Committee Member

January 15, 1992

Cape Breton District School Board
Dr. John Hayes MacNeil, Assistant Superintendent
Mr. Doug Peach, Chief Finance Officer
Ms. Barbara Braithwaite, Chairperson

Centre for International Studies
University College of Cape Breton
Ms. Colleen Kyte, Multicultural Educational Coordinator

Comite regionale de la FANE a Sydney
Mr. Luc Poirier

Northside-Victoria School Board
Dr. Tom J. Gaskell, Superintendent
Mr. John Currie, Assistant Superintendent
Mr. Don Matheson, Chief Financial Officer
Sandy Hillier, Chairman of the Board
Don Matheson, Member of the Board

New Glasgow
January 21, 1992

Antigonish District School Board
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Mr. Clarence Cameron, School Board Member
Ms. Marie Feltmate, Chairman

Canadian Parents for French
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Ms. Diane Robinson, President
Carolyn O'Toole, Treasurer
Diane Hack, Secretary

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Mr. Michael Fennell, Secretary

Federation Acadienne de la Nouvelle-Ecosse
Mr. Remi Deveau, President

Club des Jeunes de Pomquet
Ms. Jennifer Delorey, President
Ms. Gina DeYoung, Member

Societe Historique de Pomquet
May Bouchard, President

Private Citizens
Mrs. Diane Baker
Mr. Paul Baker
Mrs. Lucie Potts

Coldbrook
January 28, 1992

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Dr. Maurice Tugwell, Chairman of the School Board
Dr. Jim Gunn, Superintendent of Schools

Town of Wolfville
Mr. Greg Ross, Councillor
Ms. Jean Morash, Councillor

Annapolis District School Board
Mrs. Bonnie Johnson, Chairman of the Board
Mr. J. L. MacDonald, Superintendent of Schools

Hants West District School Board
Mr. Roland Hansen, Chairman of the School Board
Mr. Colin Purdy, Superintendent of Schools

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Lawrencetown Home and School Association
and Save the School Committee
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Mr. David George, Chairman

Nova Scotia Teachers Union - Kings District Local
Mr. Bill Wagstaff, President
Mr. Vic Fleury, Provincial Executive Member

Private Citizens
Dr. Gabriel Fischer
Dr. Lois Vallely-Fischer
Mr. George Walker

Nova Scotia Teachers' Union - Hants West Local
Mr. Ron Burton, Provincial Executive Member
Mr. Bill Berryman, 1st Vice-President

Coldbrook
January 29, 1992

Horton Parent/Teacher Association - Horton District High School
Mr. Pat Burke, President
Rev. Hedley Hopkins, Executive Member

Wolfville Area Inter-Church Council Clergy
Rev. Hedley Hopkins
Rev. Linda Macdonald

Kingstec Community College
Mr. David Corkum, Principal

Yarmouth
February 5, 1992

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Mr. Brian Hatfield

Municipality of Barrington
Mrs. Margaret Stoddard
Deputy Warden

Private Citizen
Mrs. Margaret Stoddard, Parent
and former School Board Member
Municipality of Barrington

Meteghan
February 6, 1992

La Federation des Parents Acadiens
de la Nouvelle-Ecosse Region d'Argyle
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Mr. Clyde Deviller, Coordinator

The Comite Jeunesse d'Argyle
Andre Muise
Pierette d'Entremont

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The Conseil Scolaire - Clare Argyle - School Board
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Mr. Paul d'Entremont

The Argyle Regional Committee of The Federation des Parents Acadiens de la Nouvelle Ecosse
Bernice d'Entremont

The Comite des troubles d'apprentissages de Pubnico-Ouest
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Everett Titus

Universite Sainte-Anne
Mariellel Thimot, Student

The Association Foyer-ecole de Saulnierville Nouvelle-Ecosse
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Home and School Association

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Church Point, Nova Scotia
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Olivia d'Eon
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Ecole Secondarie de Clare

Bridgewater
February 11, 1992

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Liverpool Regional High School

Ms. Margo Murley, Teacher
Liverpool Regional High School

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Nova Scotia Community College
Lunenburg Campus

Dr. Gary Ramey, Guidance Counsellor
Nova Scotia Community College
Lunenburg Campus

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February 12, 1992

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February 18, 1992

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February 19, 1992

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February 26, 1992

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Learning Disabilities Association of Nova Scotia

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Club Nouveau Horizon St. Joseph

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LeMoyne Cooperative Society Ltd.

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Foyer Ecole St. Albert / Notre Dame

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Federation Acadienne de la Nouvelle-Ecosse

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Warden
Municipality of East Hants

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Mayor
Town of Stewiacke

Memoire du Comite de Parents
(Petit de Grat)

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Positive Alternative to School Suspension
Stay in School

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E. B. Chandler Junior High School

Mr. Oliver Mombourquette
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St. Peter's Parish

Ms. Maureen Murphy
V.P. Professional Development
N.S.T.U. Pictou

Mr. Wayne Murphy
Principal
Judique - Creignish Consolidated School

New Covenant Community Church (Petition - 57 Signatures)
Cambridge

Mr. Ron O'Flaherty
Executive Director
Nova Scotia School Athletic Federation

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Co-Operative Artisanale de Cheticamp Ltee

Mr. Normand Poirier
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Ms. Vivian Stephen
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Multicultural Association of Nova Scotia

Mr. Kenneth Streatch. M.L.A.
Bedford - Musquodoboit Valley
(Minister of Transportation and Communications)

Dr. Keith C. Sullivan, Ph.D.
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Mr. Reed Wooby

List of Acknowledgements

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The Committee also acknowledged Mr. Ron Giffin, former Minister of Education, as well as those members of the Legislative Assembly who attended Committee hearings.

Finally, the Committee thanks those who worked with the Committee, on the road and at home, in providing for Committee needs and preparing the Committee reports including, Hon. Ronald Russell, Speaker; Mr. Myles Rector and staff at the Speaker's Office; Ms. Dianne Stillman and the Committee's Office; staff of Legislative T.V. and Broadcasting; Hansard; Legislative Library; Mr. Eddy Comeau and Staff; Ms. Susan Stokes, Ms. Lisa Cadger, Ms. Melanie Weaver, Ms. Karen Bona, Mrs. Madelaine Maynard; David Amirault, Jennifer Adcock and Mrs. Joan Kelly.

Volume

2

REPORT

# of the

SELECT COMMITTEE ON EDUCATION

VOLUME II

APPENDICES

MARCH 31, 1992

Second Session of the Fifty-Fifth General Assembly

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Appendix A

Nova Scotia

Department of Education

Office of the Minister

PO Box 578
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NOV [illegible] 1991

Mr. Derrick J. Kimball, MLA
Chairman
Select Committee on Education
House of Assembly
Halifax, Nova Scotia

Dear Mr. Kimball:

In the September 1, 1991 Report of the Nova Scotia Advisory Group on Race Relations, the following recommendation was made:

> [It is recommended that] the Nova Scotia Department of Education incorporate anti-racist principles as a key element of the philosophy of education and that these principles be reflected in major documents such as the Nova Scotia Schools Act and all curriculum guides.

In responding to this Report I indicated that I would submit to the Select Committee on Education the part of this recommendation that refers to education legislation. I would ask that the Select Committee consider this aspect of the recommendation during its current deliberations.

Yours very truly,

Ronald C. Giffin, Q.C.

Appendix B

Respondents to the Questionnaire

The Select Committee, as part of its research, issued a questionnaire to each of the twenty-one school boards in Nova Scotia. The questionnaire asked each board to supply information pertaining the Resolution 2088 in order to help the Committee with its deliberations. Of the twenty-one boards, thirteen returned completed questionnaires to the Committee. The responding boards in no particular order are as follows:

Kings County District School Board
Pictou District School Board
Queens County District School Board
Lunenburg County District School Board
Richmond District School Board
Cumberland District School Board
Halifax County Bedford District School Board
Guysborough County District School Board
Hants West District School Board
Shelburne County District School Board
Conseil Scolaire - Clare Argyle School Board
Cape Breton District School Board
Annapolis District School Board

Information contained in each of the responses from these boards was integrated throughout the final report. The cooperation of these boards was an important factor contributing to many of the comments and recommendations in the final report including, but not limited to, the following areas: Trustees; Bylaws, Administration, and Duties of the School; Discipline; Attendance; Public Reporting; Community Provisions; Layoff Provisions; Christian Morality; School Closure; Acadian Schools; Dropouts; Race Relations; and Other.

Appendix C

A Protocol for Developing an Effective Discipline Policy

A "protocol" is the term which refers to a correct way to develop something. The following twenty steps describes a protocol for developing a good discipline policy. The steps can be used to develop discipline policies on three different levels; district, school-based, classroom. (also refer to the section, *The Anatomy of a Good Discipline Policy*)

* in part, this protocol has been taken from research compiled by (Sprick, 1985).

Step 1

Determine who are the people directly affected by the policy. (eg. students, teachers, parents, administration, school board, other agencies, etc.)

Step 2

Decide on a process that can best bring together all interest groups so that they can provide input. (eg. PTA, trustees, student-parent-teacher committees, student input forums, Charter of Rights, At-Risk Initiative Committee, Survey(s), Needs Assessment, etc.)

Step 3

Determine as a group what values and standards the community wishes to strive for or inpart on its members (get a consenus!).

Step 4

Develop a ***Vision Statement*** for the community by reaching a consensus. It should be short, positive and challenging.

Step 5

Now, working from your vision statement develop a series of ***educational-goal or objective statements***. Once again, they should be reasonably short, easily understood and positive.

****(for a School Board: A list of Objective or Goal statements is an excellent means of giving the schools some direction in establishing their own discipline policies.)**

(eg. 1. Lunenburg County Schools encourage its members to be tolerant of all group or individual differences; or,
2. Lunenburg County Schools strive to provide an environment that encourages the mental, emotional and physical well-being of its members.)

Step 6

Brain storm all possible ***behaviours that seem to be unacceptable*** to the community. ie. the community at large, the school community as a whole, and the classroom as a small group. **Make a list!**

Step 7

Using your goal/objective statements as headings, categorize your list of inappropriate behaviours under each heading where they best fit. (If you have done this properly, each example of inappropriate behaviour you have listed will be an infraction of the educational goal/objective you have cited above.)

Step 8

For each example of inappropriate behaviour you have listed, determine what would be a ***reasonable, remedial consequence*** to that behaviour and, for each example, make a list of ***expected/acceptable behaviours***.

Step 9

As a group, (school district, school community, classroom), determine ***what consequences are appropriate for your culture*** ? You must take into consideration what you can afford, what resources you have at your disposal, what you will require to implement a particular consequence, etc., (eg. There is no point including an In-School suspension system as one of your consequences if you do not have the staff available to monitor the program).

Step 10

Determine what unacceptable behaviours should be referred to Administration/School Board, and what behaviours will receive the most serious consequences within the school system.

Step 11

Go back to your list of goals/objectives and inappropriate behaviours. Start grouping together similar inappropriate behaviours with their consequences. Now ***compose rules*** that address those behaviours. Remember, rules should be concise, easily understood and positive (as much as possible). You will now be able to arrange the rules in such a manner that you can develop five columns: **The Rule, Examples of Expected Behaviour, Examples of Inappropriate Behaviour, Reasons for Expected Behaviour** (simply paraphrase the goal/objective statement), and **Probable Consequences for the Inappropriate Behaviour.**

Step 12

- Develop an ***Office Referral Form*** • see attachment for example taken from (Sprick, 1985).
- Establish consequences to be used for referrals (eg. Suspension, In-School Suspension, Detention, Individualized Behaviour Program, etc).
- Establish procedures for implementing consequences when referrals have been made (dela[illegible]in

processing a behavioral referral may reinforce student's misbehaviour).

Step 13

Specify what actions will be taken ***if a student breaks the law*** .

(Part of the dicipline policy should be developed with local officials; the Police, Family and Children Services, Juvenile Authorities, etc. to address offenses such as vandalism, use of alcohol or drugs, possession of weapons, physical violence, etc.)

Step 14

Establish ***record-keeping procedures*** as a means of gathering statistics for evaluation purposes, and evidence to substantiate decisions. * see attachement for examples taken from (Sprick,1985)

H. are some questions that should be answered by the record-keeping system: (taken from Sprick, 1985)

- How many referrals have been made by an individual teacher?
- What grade level had the most referrals?
- What period of the day had the most referrals?
- What percentage of referrals was for problems outside the classroom?
- What category of misbehaviors led to the most referrals?
- How many students had more than five referrals? more than two?
- Given an individual student who had several referrals:
  a/ What consequences were implemented?
  b/ Who referred the student?
  c/ What procedures were implemented to get the student more motivated?
  d/ What was done to get the parents involved?

Step 15

Write up the plan. Remember, it must be clear, concise and unambiguous. Rules should include; examples of acceptable behaviour, examples of inappropriate behaviour, reasons for the acceptable behaviour, probable consequences for inappropriate behaviour.

Step 16

Develop a ***process of presenting the Plan*** to all those people affected by it. Remember, this should be carried out on several levels. (see *Anatomy of a Successful Discipline Policy*)

Step 17

Develop a ***process of identifying "at-risk" students*** and a strategy to refer them into appropriate programs before they run into problems with some of the rules. Similarly, develop a ***system of rewards*** for students who demonstrate great improvement in their conduct.

Step 18

Establish an agenda for future meetings to ***evaluate the plan*** and in order to keep the collaborative process flowing.

Step 19

For School Districts in particular: Brainstorm other scenerios or situations where a modified version of the general policy must be devised (eg. school trips, school bus, etc.). Given the vulnerability of chaperones, bus drivers and the like, the policy must be very clear-cut and precise as to what actions and consequences can be taken by those in charge. Similarly, a written contract should be signed by students and parents clearly articulating the rules and consequences before trips are to be taken.

Step 20

Now, look over the plan and see how well it has addressed these questions:

- Are the goals for the plan and expectations for student behaviour published and disseminated so that all students, parents and staff are aware?
- Is the plan balanced in terms of the number of rules imposed? Too many rules can lead to an oppressive environment. Too few rules may indicate a lack of direction and control.
- Are the rules enforceable?! In other words, is the rule difficult to enforce due to ambiguity or a lack of resources to monitor the behaviour that you wish to modify?
- Does the plan focus on a climate of self-discipline?
- Does the plan focus too heavily on punishment for negative behaviour?
- Does the plan include a component for orienting students and parents to the expectations for behaviour by means of a student handbook, posters, assembly programs, contracts, or classroom discussions?
- Does the plan make it clear how the responsibility for developing and implementing the plan is to be shared among teachers, parents, students, principals, school board? No one person or small group should be fully responsible for doing so.
- Does the plan include a component for students who display improvement in their behaviour?
- Does the plan include a component which identifies "at-risk" students? And has a process of referral been established to help meet their needs?
- Is there a provision for evaluating the plan after it has been implemented?... Ω

Ω..the questions were in part taken from (Meyers & Pawlas, 1989).

before the beginning of the academic school year. R.S., c. 81, s. 52; 1982, c. 23, s. 42; 1986, c. 28, s. 11.

Suspension of pupils

39 (1) A school board may authorize the principal, or other person in charge of a school, to suspend, for a period of not more than five school days, pupils who are persistently disobedient or who conduct themselves in such a manner as to be likely to affect injuriously the proper conduct of the school or the character of other pupils.

Notice of suspension

(2) When a pupil is suspended, pursuant to subsection (1), the principal or other person in charge of the school shall forthwith notify in writing the pupil, his teachers, the school board and the pupil's parent or guardian, of the reasons for the suspension.

Powers of school board respecting suspension

(3) Upon receipt of the notification referred to in subsection (2), the school board may

(a) confirm the suspension for the period of not more than five school days;

(b) order that the suspension be revoked and that the suspension be expunged from the record of the pupil; or

(c) order the suspension of the pupil for a period of more than five school days and not more than the remaining number of school days in the school year,

and shall forthwith notify the pupil, his teachers, the principal or person in charge of the school and the pupil's parent or guardian of the order for suspension and the reasons therefor and the right of appeal pursuant to subsection (5).

Duties may be performed by certain committees

(4) The duties of the school board set forth in subsection (3) may be performed,

(a) if so directed by the school board, by a committee consisting of the superintendent of schools and two other persons who are members of the school board, one of whom shall act as chairman of the committee;

(b) if so directed by the school board, by the trustees of the school section;

(c) with the approval of the Minister, a committee of persons designated by office, or named, by the school board.

Appeal of suspension

(5) When a pupil or the parent or guardian of a pupil has been notified of the suspension of the pupil pursuant to clause (c) of subsection (3), the pupil or the parent or guardian may, within seven days of receiving such notice, appeal the suspension to the school board.

Duties of board upon receipt of notice of appeal

(6) The school board shall, upon receipt of a notice of appeal,

(a) immediately notify the parent or guardian of the pupil, and the pupil himself, where he has commenced the appeal, of the time and place of the hearing of the appeal and the right to appear in person with or without counsel; and

(b) within ten days of receipt of the notice of appeal, hold a hearing and confirm, revoke or vary the order to suspend.

Notice of decision

(7) Within three school days of the hearing the school board shall notify the pupil, his parent or guardian, his counsel, his teachers and the principal or person in charge of the school of its decision. 1982, c. 23, s. 43.

Interference with teacher's discipline

40 (1) Every person who, in or upon any school premises and in the presence of any pupil attending that

school, uses profane, threatening, abusive or improper language towards the teacher, or speaks or acts in such a way as to impair the maintenance of discipline by the teacher in the school, is liable to a penalty of not more than fifty dollars, and in default of payment, to imprisonment for not more than ten days.

Disturbing school

(2) Any person, who wilfully interrupts or disturbs the proceedings of a school meeting or a public school by acting in a disorderly manner or by making a noise either within the place where the meeting is held or the school is conducted or so near thereto as to interfere with the proceedings of the meeting or the conduct of the school, is liable to a penalty of not more than twenty dollars and in default of payment to imprisonment for not more than ten days.

Power to suspend right to use school bus

(3) The principal of a school, or such other supervisory person as may be designated by the school board, may suspend a pupil's right to use the school bus if, in his judgement, the pupil has refused to comply with reasonable rules or regulations of the school board or directions given by the bus driver or if, in his judgement, the behaviour of the pupil while on the bus endangers the safety of others using the bus.

Report

(4) A person who suspends a pupil's right pursuant to subsection (3) to use the school bus shall report this action immediately to the school board and inform the pupil's parents or guardians by the speediest method convenient of his action.

Notice of right of appeal

(5) Where the pupil's right to use the school bus has been suspended for a period of more than two days, the pupil and his parents or guardians shall be notified in writing of the reason for the suspension and, where the suspension is for a period of more than five days, of the right of appeal pursuant to subsection (6).

Right of appeal

(6) Where a pupil is suspended for a period of more than five days, the parent or guardian of the pupil or

the pupil, if he is of the age of majority, may, within seven days of receiving notice of the suspension pursuant to subsection (5), appeal the decision to suspend.

Stay of suspension

(7) Where a notice of appeal has been received by the school board pursuant to subsection (6), the balance of the suspension shall be stayed until the school board confirms, revokes or varies the suspension.

Duty of school board

(8) The school board shall, upon receipt of a notice of appeal

(a) immediately by registered mail notify the parent or guardian of the pupil, or the pupil himself, where he is of the age of majority, of the time and place of the hearing of the appeal; and

(b) within five days of receipt of the notice of appeal, hold a hearing respecting the suspension and immediately following that hearing confirm, revoke or vary the decision to suspend.

Encouraging use of school bus where suspension

(9) Every parent, guardian or other person having charge or control of any pupil who, having been sent by the school board by registered mail a notice of suspension of the pupil's privilege to use the school bus, causes, encourages or permits the pupil to use the bus during the period of time during which the suspension is in effect, shall be subject to the same penalty as is provided for a person who violates subsection (1).

"teacher" and "school premises" defined

(10) For the purposes of subsection (1), "teacher" includes a bus driver and "school premises" includes a bus. R.S., c. 81, s. 113; 1978-79, c. 15, s. 10; 1982, c. 23, s. 61.

AMALGAMATION OF SCHOOL BOARDS

Employees of regional vocational school

41 (1) Persons employed by the Minister in regional vocational schools located in an Amalgamation Area

Duties of teacher

54 It is the duty of a teacher in a public school to

(a) teach diligently the subjects and courses of study prescribed by or under this Act or the regulations that are assigned to him by the school board;

(b) maintain proper order and discipline in the school or room in his charge and report to the principal or other person in charge of the school the conduct of any pupil who is persistently defiant or disobedient;

Supervision of school premise

55 Subject to the authority of the school board, the teacher has general oversight and supervision over school premises during school hours, and may exclude from those premises any person who disturbs the school work. R.S., c. 81, s. 75.

Appendix E

EDUCATION

SCHOOL ATTENDANCE

Attendance compulsory

155(1) Except as otherwise provided in this Act, every parent, guardian or other person having charge of a pupil who is of compulsory school age shall take all steps that are necessary to ensure regular attendance of that pupil:

(a) at the school determined or authorized by the board of education of the division in which the pupil resides; and

(b) for the period during which the school described in clause (a) is in operation in each year.

(2) A parent, guardian or other person who neglects to discharge his duty and responsibility pursuant to subsection (1) is guilty of an offence and liable on summary conviction to a fine of not more than $100.

(3) Upon a conviction for an offence under subsection (2), the magistrate or judge may, in his discretion, substitute for and in the place of a fine the requirement that the person so convicted post a bond in the penal sum of $200, with such securities as may be required, on the condition that that person shall cause the pupil to attend school as required and, upon breach of that condition, the bond shall be forfeited to the Crown.

(4) This section applies to a person who has received into his home, as a resident, another person's child who is of compulsory school age, but the duty and responsibility of the parents or guardian of the child shall not thereby be affected. 1978, c.17, s.155; 1980-81, c.52, s.13.

Exemptions to school attendance

156 A pupil may be exempted from attendance at a school, and no parent, guardian or other person shall be liable to any penalty imposed by this Act, where:

(a) the pupil is under a program of instruction approved by the director or superintendent at home or elsewhere;

(a.1) the pupil is in attendance at a registered independent school;

(b) the pupil is unable to attend school by reason of illness, certified by a physician if required by the board of education, or other unavoidable cause considered sufficient by the local attendance counsellor;

(c) the distance to a school which the pupil is entitled to attend or to a school bus route is in excess of four kilometres, as measured by the nearest passable road from the place of residence of the pupil to the said school or school bus route, as the case may be;

(d) the pupil has been suspended or expelled from school;

(e) the pupil has been excluded from attendance at school under *The Public Health Act*;

(f) the director or superintendent, upon due inquiry or investigation, is of the opinion, and certifies in writing to that effect, that continued attendance at school is not productive or is detrimental to the pupil or to the school;

(g) the pupil is engaged in work-experience or other educational programs authorized or approved by the board of education;

(h) the pupil is absent from school on a holy day of the church or religious denomination of which he or his parent or guardian is a member;

(i) the pupil is absent from school with the approval of his parent or guardian for the purpose of receiving medical or dental treatment; or

(j) the pupil accompanies his parent or guardian on extended travel outside the division but, where such travel requires more than five school days, the parent or guardian shall inform the principal of the period of absence from school which is anticipated as a result of such travel and shall, where considered advisable by the principal, consult with him and such of his teaching staff as may be appropriate with respect to measures to be taken to maintain reasonable continuity in the progress of that pupil in his courses, and those measures shall be the responsibility of the parent or guardian during the period of the pupil's absence from school. 1978, c.17, s.156; 1989-90, c.36, s.15.

Pupils to attend regularly and furnish information

157(1) Every pupil shall attend school regularly and shall furnish promptly to the principal such information as he may require, or as may be prescribed in the bylaws of the board of education, with respect to any period of absence from school for which exemptions have not been provided pursuant to section 156 or to those bylaws.

(2) Subject to the bylaws of the board of education and except as otherwise provided in this Act, every pupil whose attendance is considered to be irregular under the policies of the board may be suspended pursuant to section 153. 1978, c.17, s.157; 1989-90, c.36, s.16.

158 Repealed. 1989-90, c.36,s.17.

Provincial attendance officer

159 The department may appoint a provincial attendance officer whose duties shall be prescribed by the minister and who shall supervise the administration of the provisions of this Act pertaining to school attendance and provide counsel and assistance to boards of education and their appointed officials with respect to the maintenance of regularity of school attendance. 1978, c.17, s.159.

Local attendance counsellor

160 Every board of education shall appoint a person, or designate a member of its staff, to be the local attendance counsellor for the division. 1978, c.17, s.160.

Duties and powers of local attendance counsellor

161(1) The local attendance counsellor shall, under the supervision of the director or superintendent, be responsible for the administration, within the division, of the provisions of this Act pertaining to school attendance and for the implementation of the bylaws of the board of education with respect to school attendance and, without restricting the generality of the foregoing, every local attendance counsellor shall:

(a) conduct investigations with respect to reports and referrals by principals concerning attendance problems in the schools of the division;

(b) make every reasonable effort to elicit the co-operation of the pupil and his parents or guardian in the solution of attendance problems of that pupil;

(c) report to the principal and to the parent or guardian of a pupil concerning his findings on an investigation or inquiry with respect to the attendance of that pupil and the circumstances of a complaint or referral in that connection;

(d) institute, or cause to be instituted, proceedings against a parent, guardian or other person having charge or control of a pupil, or against any other person who violates any of the provisions of this Act pertaining to school attendance;

(e) prepare and submit to the department annually, or at such times as the minister may require, a report or reports in the prescribed form of attendance problems in which legal proceedings were instituted by him and on the general state of school attendance in the division.

(2) For the purposes of clauses (1)(a) and (b), the local attendance counsellor shall solicit the advice and assistance of the teachers, principal, guidance officer and other consultants who may be available within the school division and from other relevant social agencies, and shall include the parents or guardian of the pupil in consultations directed toward diagnosis and solution of the problem.

(3) A local attendance counsellor shall, for the purposes of this Act, be vested with the powers of a peace officer, and shall have the authority to enter theatres, places of public amusement and entertainment, stores, shops, workshops, factories and all other places where children may be employed or congregated and, where he finds therein a pupil who is the subject of a complaint or referral for reasons of non-attendance at school, shall return the pupil to his school or to his parent or guardian, but if objection is taken to his entering a dwelling place he shall not enter therein without a warrant.

(4) Where a magistrate or justice of the peace is satisfied, upon the oath of a local attendance counsellor, that there are reasonable grounds to suspect that a pupil who is the subject of a complaint or referral for reasons of non-attendance at school may be found in a dwelling place, the magistrate or justice of the peace may grant a warrant to search that dwelling place and, if that pupil is found therein, to return the pupil to his school or to his parent or guardian.

(5) A local attendance counsellor shall have access to the records of the school and the division to the extent that those records are necessary for procuring the names, ages and residence of pupils and any other information required for the discharge of his responsibilities under this Act. 1978, c.17, s.161.

Reports and referrals concerning irregular attendance

162(1) Where any pupil has been absent from school for more than four school days in any month, the principal shall, unless satisfied that such absence is unavoidable or justified, immediately report the absence to the local attendance counsellor.

(2) Notwithstanding any other provision of this Act and regardless of the age, grade or year, or distance from school of any pupil, the principal shall refer for investigation by the local attendance counsellor any case of habitual tardiness, avoidable irregular attendance and apparent neglect or disregard of the rules and bylaws of the board of education and the school with respect to school attendance.

(3) Reports and referrals mentioned in subsections (1) and (2) shall be in writing and in the prescribed form.

(4) Upon receipt of a report or referral, the local attendance counsellor shall immediately proceed with an investigation according to procedures approved by the board of education under its bylaws and shall, upon the completion of his investigation, report his findings to the principal.

(5) Upon receipt of the report of the local attendance counsellor, the principal shall, in consultation with the local attendance counsellor and such teachers, officers or consultants employed by the board of education as the principal may see fit, consider what further action, if any, is to be taken and, subject to the approval of the director or superintendent, the local attendance counsellor shall proceed with such further consultations, investigation or action as he considers necessary and expedient in the circumstances, provided that the parents or guardian of the pupil and the pupil concerned are informed, consulted and given reasonable opportunity for making representations on behalf of the pupil. 1978, c.17, s.162.

Offence and penalty

163(1) Every person charged with the duty of administering or enforcing any provision of this Act pertaining to school attendance, who neglects to perform that duty, is guilty of an offence and liable on summary conviction to a fine of not more than $100.

(2) A parent, guardian or other person who:

(a) neglects or refuses to give to a teacher, principal, director, superintendent, local attendance counsellor, board of education or any person appointed by the department any information that is required by this Act to be given with respect to school attendance;

(b) gives false information;

(c) by threat, intimidation or otherwise prevents or attempts to prevent the attendance of a pupil at a school in accordance with this Act;

(d) in any other way interferes or attempts to interfere with the carrying out of the provisions of this Act pertaining to school attendance; or

(e) directly or indirectly attempts to influence improperly any decision of a teacher, principal, local attendance counsellor or other official of the board of education or of the department in the enforcement of any provision of this Act pertaining to school attendance;

is guilty of an offence and liable on summary conviction to a fine of not more than $100. 1978, c.17, s.163.

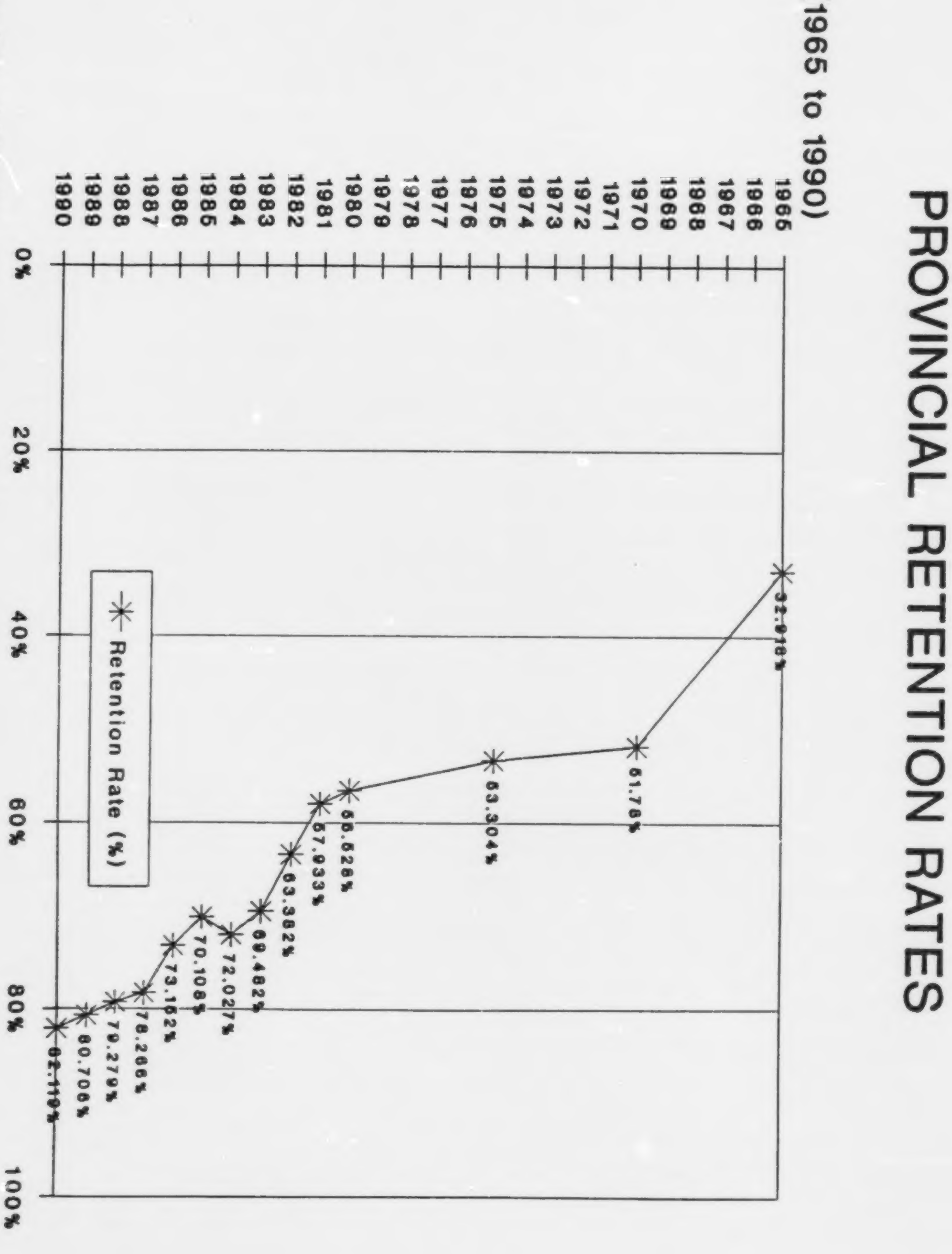
Appendix F

Pupil Withdrawals (1990/1991)

Source: Dept. of Education

DISTRICT SCHOOL BOARDS	Total Withdrawals				Withdrawals as a % of Enrolment by Grade				
	JUNIOR (7 to 9)		SENIOR (10 to 12)		JUNIOR (7 to 9)		SENIOR (10 to 12)		TOTAL RATE
	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	MALE	FEMALE	
Annapolis	13	15	38	33	2.44%	3.23%	8.98%	7.21%	5.27%
Antigonish	15	8	38	24	2.63%	1.61%	6.79%	4.67%	3.97%
Cape Breton	43	20	263	232	1.73%	0.89%	11.45%	9.76%	5.94%
Colches./E Hants	40	16	252	202	2.67%	1.11%	14.54%	13.43%	8.26%
Clare-Argyle	40	15	22	20	10.58%	4.24%	8.40%	6.60%	7.48%
Cumberland	24	14	69	39	3.25%	1.98%	8.87%	5.77%	5.04%
Dartmouth	35	45	167	140	2.79%	3.88%	12.84%	11.15%	7.78%
Digby	24	14	19	23	8.79%	4.95%	9.41%	9.66%	8.03%
Guysborough	14	3	10	10	4.36%	0.99%	3.69%	3.41%	3.11%
Halifax	19	23	359	264	1.24%	1.55%	17.54%	13.87%	9.55%
Hfx Co./Bedford	51	20	375	271	1.41%	0.59%	10.87%	8.79%	5.30%
Hants West	39	22	50	26	8.97%	6.01%	11.09%	5.32%	7.87%
Inverness	10	5	30	20	1.82%	0.92%	5.29%	3.51%	2.92%
Kings	35	25	116	79	2.68%	2.06%	8.22%	5.44%	4.74%
Lunenburg	13	7	90	74	1.30%	0.70%	8.95%	8.08%	4.69%
Northside-Vic.	56	26	125	117	6.26%	3.13%	14.45%	13.75%	9.41%
Pictou	75	29	71	60	5.60%	2.29%	6.14%	5.05%	4.75%
Queens	16	1	16	16	4.88%	0.40%	5.78%	5.39%	4.24%
Richmond	3	6	16	6	1.00%	1.96%	5.61%	2.01%	2.61%
Shelburne	39	26	26	16	9.20%	6.65%	9.81%	5.86%	7.91%
Yarmouth	18	8	51	48	4.04%	1.91%	14.78%	13.95%	8.05%
N.S. (1990/91)	622	348	2203	1720	3.08%	1.84%	11.04%	8.92%	6.25%
N.S. (1989/90)	611	452	2309	1939	2.95%	2.35%	11.67%	9.94%	6.71%
N.S. (1988/89)	732	459	2450	1925	3.43%	2.34%	12.41%	9.69%	6.91%
N.S. (1987/88)	815	455	2233	1790	N/A	N/A	N/A	N/A	N/A

Appendix F-1



Source: Dept. of Education
Grade 7 enrolment as a % of Grade 12

Appendix G

Section 10.0

SUMMARY OF RECOMMENDATIONS

1. Education about religion should be compulsory in the curriculum of public elementary schools in Ontario.

2. The subject title "Religious Education" should be discontinued and replaced by the more appropriate designation of "Religion Studies".

3. Religion Studies should be defined as "studies about religions to provide knowledge and awareness enabling individuals to understand, appreciate and respect various religious beliefs, attitudes and behaviours".

4. Religion Studies shall be a non-confessional and non-denominational program about religions.

5. The Religion Studies program implemented in the public elementary schools should be based on a multifaith approach.

6. The nature and content of a Religion Studies program must be consistent with designated aims and guiding principles.

7. The equivalent of sixty minutes per week should be devoted to Religion Studies during the course of a school term.

8. Of the total time allocated to Religion Studies during each school term, a minimum of one-third of the time shall be based on Christianity, a minimum of one-third of the time shall be based on other religions, and the emphasis for the remaining one-third of the total time shall be determined within each individual educational jurisdiction.

9. A policy statement for Religion Studies, grades 1 - 8, should be developed by the Ministry of Education.

10. The Ministry of Education should establish a task force to provide support and assistance in the development of a policy statement document for Religion Studies in the public elementary schools.

11. A series of pilot projects in Religion Studies should be initiated for September, 1991.

12. Full implementation of a Religion Studies program in all public elementary schools in Ontario should be in place not later than the 1993-1994 school year.

13. Appropriate methods of implementing the Religion Studies program in the primary and junior divisions should be considered during the pilot project process.

14. The study of Christianity in the Religion Studies program should reflect the broad traditions of Christian belief without being distinctive of any particular Christian denomination.

15. No pupil should be required to be subject to a Religion Studies program where the parent/guardian of the pupil applies to the principal of the school which the pupil attends, for exemption therefrom.

16. Religion Studies programs should be taught by certificated teachers.

17. The Ministry of Education should amend Regulation 269, Schedule E, to include Religion Studies, and faculties of education should be encouraged to make available a three-session additional qualification course for Religion Studies (grades 1 - 8).

18. Faculties of education should be encouraged to make Religion Studies a required component of the foundation courses for primary, junior, intermediate (7, 8) division pre-service teacher qualifications.

19. The Ministry of Education should provide direction and funding to support in-service opportunities in Religion Studies for teachers.

20. Boards of education should be encouraged to appoint teachers with either specialist or honours specialist qualifications in Religion Studies as sources of expertise in the elementary program.

21. The Ministry of Education should provide for resource personnel with expertise in Religion Studies in each ministry regional office.

22. Each public board of education should establish a Religion Studies Advisory Committee.

23. The Religion Studies Advisory Committee should consist of four representative groups.

24. On any question or issue to be decided by the Religion Studies Advisory Committee, only the four representative groups on the committee shall be entitled to vote, and each of the four groups shall have a single vote.

25. No recommendation or decision shall be forwarded to the board of education from the Religion Studies Advisory Committee unless it has been determined by a majority vote of the four representative groups which comprise the committee.

26. Co-operation among school boards should be encouraged in the area of Religion Studies.

27. To recognize the additional costs involved in implementing the Religion Studies program, the Ministry of Education should provide additional funding to assist school boards.

28. An effective monitoring process should be initiated by the Ministry of Education to ensure that the regulations regarding Religion Studies are appropriately implemented in all public elementary schools in Ontario.

29. The Ministry of Education should initiate and encourage the development of student learning materials in both print and non-print formats to support the requirements of the Religion Studies program.

30. The trustees of each board of education, the supervisory officers and the principal of each respective school are collectively responsible for ensuring that the regulations, policy statement and programs pertaining to Religion Studies are implemented appropriately.

31. The Ministry of Education should make provisions immediately for additional credit courses in Religion Studies at the secondary school level.

32. Section 235(1)(c) of the Education Act, R.S.O. 1980, should be revised to read as follows:

    "To inculcate by precept and example respect for religion and those principles of morality underlying all major world religions and the highest regard for truth, justice, loyalty, love of country, humanity, benevolence, sobriety, industry, frugality, purity, temperance and all other virtues."

33. Section 50(1) of the Education Act, R.S.O. 1980, should be revoked.

34. Regulation 262 should be amended to reflect the recommendations of this inquiry regarding the definition of Religion Studies, the compulsory nature of the program, who shall teach the program, the multifaith nature of the program, the time allocated for the program, and the exemption provision for pupils.

35. Boards of education that might choose to make religious instruction available to students should be able to do so outside the regular school program.

36. The Ministry of Education should give serious consideration to the implementation of a similar Religion Studies program in other publicly-funded elementary schools in Ontario.

37. The public school system should critically examine practices within the public schools to ensure that they are consistent with the philosophy on which the public education system is based and with the principles of the pluralistic society which it serves.

38. The Ministry of Education should design strategies to communicate effectively with parents, educators, and the general public about decisions regarding the Religion Studies program.

Appendix H

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MEMORANDUM

TO: Graham D. Walker, Q.C.
Chief Legislative Counsel

FROM: Gordon D. Hebb, Q.C.
Legislative Counsel

DATE: March 12, 1992

SUBJECT: **"Christian morality" in clause 54(e) of the Education Act**

We have been asked on behalf of Derrick Kimball, Chairman of the Select Committee on Education, as to the liklihood of a successful court challenge of a teacher's duty to encourage a respect for the principles of Christian morality.

Section 54 of Chapter 136 of the Revised Statutes, 1989, the *Education Act*, provides in part as follows:

> 54 It is the duty of a teacher in a public school to
>
> (e) encourage in the pupils by precept and example a respect for religion and the principles of Christian morality, for truth, justice, love of country, humanity, industry, temperance and all other virtues;

The relevant provisions of the *Canadian Charter of Rights and Freedoms* are as follows:

> Whereas Canada is founded upon principles that recognize supremacy of God and the rule of law:
>
> Guarantee of Rights and Freedoms
>
> 1. The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.

Fundamental Freedoms

2. Everyone has the following fundamental freedoms:

(a) freedom of conscience and religion;

Equality Rights

15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

Enforcement

24 (1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the Court considers appropriate and just in the circumstances.

27 This Charter shall be interpreted in a manner consistent with the preservation and enhancement of the multicultural heritage of Canadians.

Application of Charter

32 (1) This Charter applies

(b) to the legislature and government of each province in respect of all matters within the authority of the legislature of each province.

The *Canadian Charter of Rights and Freedoms* is Part I of the *Constitution Act, 1982*. Section 52 of that Act provides in part as follows:

52 (1) The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

Clearly by section 32 of the *Charter*, the *Charter* applies to the *Education Act*. As well, by section 52 of the *Constitution Act, 1982*, if a provision of the *Education Act* is inconsistent with the *Charter*, that provision is of no force or effect. Finally, by section 24 of the *Charter*, an application can be made to court to have such a provision struck down. Is clause 54(e) of the *Education Act* such a provision?

The obvious question that arises with respect to clause 54(e) is whether the duty of a teacher in a public school to "encourage in the pupils by precept and example a respect for religion and the principles of Christian morality" violates anyone's "freedom of conscience and religion" or violates anyone's "[equality] before and under the law" or anyone's "right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on . . . religion".

What is "Christian morality"? The *Shorter Oxford Dictionary* defines "morality" as "moral conduct" and defines "moral" as "Of or pertaining to character or disposition; of or pertaining to the distinction between right and wrong, and good and evil, in relation to actions, volitions, or character; ethical". The same dictionary defines "Christian" as "Believing, or professing, the religion of Christ", "Pertaining to Christ or christianity", "Following the precepts and example of Christ; Christlike", "Of or belonging to a Christian or Christians" or "Human; civilized, decent, respectable". This last meaning of Christian is indicated as being colloquial or slang. Thus, it is the duty of a teacher in a public school to encourage in the pupils by the teacher's precept and example a respect for the ethical principles of conduct that follow the precepts and example of Christ.

What is "freedom of religion"? In *Regina* v. *Big M Drug Mart Ltd.* (1985), 13 C.R.R. 64 (Can. Sup. Ct), which struck down the federal *Lord's Day Act*, Dickson C.J.C. at pages 97 and 98 answered as follows:

> A truly free society is one which can accommodate a wide variety of beliefs, diversity of tastes and pursuits, customs and codes of conduct. A free society is one which aims at equality with respect to the enjoyment of fundamental freedoms and I say this without any reliance upon s. 15 of the Charter. Freedom must surely be founded in respect for the inherent dignity and the inviolable rights of the human person. The essence of the concept of freedom of religion is the right to entertain such religious beliefs as a person chooses, the right to declare religious beliefs openly and without fear of hindrance or reprisal, and the right to manifest religious belief by worship and practice or by teaching and dissemination. But the concept means more than that.
>
> Freedom can primarily be characterized by the absence of coercion or constraint. If a person is compelled by the state or the will of another to a course of action or inaction which he would not otherwise have chosen, he is not acting of his own volition and he cannot be said to be truly free. One of the major purposes of the Charter is to protect, within reason, from compulsion or restraint. Coercion includes not only such blatant forms of compulsion as direct commands to act or refrain from acting on pain of sanction, coercion includes indirect forms of control which determine or limit alternative courses of conduct available to others. Freedom in a broad sense embraces both the absence of coercion and constraint, and the right to manifest beliefs and practices. Freedom means that, subject to such limitations as are necessary to protect public safety, order, health, or morals or the fundamental rights and freedoms of others, no one is to be forced to act in any way contrary to his beliefs or his conscience.
>
> What may appear good and true to a majoritarian religious group, or to the state acting at their behest, may not, for religious reasons, be imposed upon citizens who take a contrary view. The Charter safeguards religious minorities from the threat of "the tyranny of the majority".

The compulsory encouragement in the schools of a respect for the teachings of Christ, regardless of the religion of the pupils or their parents, would appear to be contrary to the spirit of these principles enunciated by Dickson C.J.C. The imposition of the duty on all teachers to so encourage pupils, regardless of the religion of the teachers, directly contravenes the enunciated principles because of what it compels all teachers to do. Thus clause 54(e) of the *Education Act* seems to contravene paragraph 2(a) of the *Charter*.

Until January, 1989, a regulation made pursuant to Ontario's *Education Act*, required a public school to be opened or closed each school day with "religious exercises consisting of the reading of the Scriptures or other suitable readings and the repeating of the Lord's Prayer or other suitable prayers". The regulation was challenged by a Jew, a Moslem, a person practicing no religion and two others. The Ontario Court of Appeal, in a 4-1 decision, reversing a 2-1 decision of the Ontario Divisional Court, struck down the regulation as being contrary to the *Charter*: *Zylberberg, Gregg, Coppel-Park, Wyers and Enver* v. *Director of Education of the Sudbury Board of Education* (1988), 34 C.R.R. 1. At page 18, Brooks, Blair, Goodman and Robins JJ.A. said that the regulation

> is antithetical to the *Charter* objective of promoting freedom of conscience and religion. The recitation of the Lord's Prayer, which is a Christian prayer, and the reading of Scriptures from the Christian Bible impose Christian observances upon non-Christian pupils and religious observance on non-believers.

The Court held further that the regulation was not saved by a provision which permitted pupils to be exempted from the religious exercises. The judges said at page 19 that the

> peer pressure and the classroon norms to which children are acutely sensitive, in our opinion, are real and pervasive and operate to compel members of religious minorities to conform with majority religious practices

and at page 20 that the

> exemption provision imposes a penalty on pupils from religious minorities who utilize it by stigmatizing them as non-conformists and setting them apart from their fellow students who are members of the dominant religion

The Court of Appeal not only held that the regulation infringed the freedoms of conscience and religion guaranteed by clause 2(a) of the *Charter*, but that the infringement could not be justified under section 1 of the *Charter* because its object infringed the *Charter*. The Court also held that there was no burden on those objecting to the regulation to prove that it caused actual harm to the individual pupils.

A similar case was decided in 1989 by Hollinrake J. of the British Columbia Supreme Court: *Russow and Lambert* v. *The Attorney-General of British Columbia* (1989), 44 C.R.R. 377. The *Zylberberg* case was followed.

In 1990, the Ontario Court of Appeal, in a 5-0 decision, reversing a decision of the Divisional Court, struck down a regulation made pursuant to Ontario's *Education Act* providing for religious education and struck down the religious education curriculum of the Elgin County Board of Education as being contrary to the *Charter*: *Corporation of Canadian Civil Liberties Association, Millington, Millington, Hough and Sebestyen* v. *Minister of Education and Elgin County Board of Education;*

Canadian Jewish Congress, League for Human Rights of B'Nai Brith Canada, Evangelical Fellowship of Canada, Coalition for Religious Freedom and Education and the Ecumenical Study Commission on Public Education (Intervenors) (1990), 46 C.R.R. 316. The regulations did not mandate that the religious instruction be in a particular religion and any pupil could be exempted from the instruction. Nevertheless, after considering the history of the legislation, the Court found that the original objective of the regulation was inculcating Christian moral values and that the present curriculum of the Elgin County Board of Education was a clear emphasis on the Christian perspective.

It is interesting to note that when the Ontario regulations referred to in *Zylberberg* and in *Canadian Civil Liberties Association* were adopted in 1944, Ontario' s then *Public School Act* required teachers to "inculcate *by precept and example respect for religion and the principles of Christian morality*" (emphasis added). In 1989, "Christian" was changed to "Judaeo-Christian". Although *Canadian Civil Liberties Association* refers to this provision, it does not rule on the provision's constitutional validity.

The "Christian morality" provision has been with us since at least 1895. Its original purpose was undoubtedly, I believe, to teach Christian values. However many Christian values are probably the same as or similar to other religions or, indeed, to those of people with no religion. Thus the effect of clause 54(e) may not be to infringe in any significant way upon anyone's freedom of conscience or religion. However, the original purpose of the legislation was to promote Christian values and that purpose is clearly contrary to the *Charter*. Such a purpose is fatal to clause 54(e) even if its effect does not infringe the freedom of conscience and religion. Either a constitutional purpose or an unconstitutional effect can invalidate legislation: *Big M Drug Mart Ltd.*

If the effect of clause 54(e) does not infringe the *Charter*, could its purpose have been transformed over time by changing social conditions to a secular purpose, that is, to encourage a respect for the principles of morality of which the embodiment by Christianity is only an example? Dickson C.J.C. rejects this argument in *Big M Drug Mart Ltd.*:

> First, there are the practical difficulties. No legislation would be safe from a revised judicial assessment of purpose. Laws assumed valid on the basis of persuasive and powerful authority could, at any time, be struck down as invalid. Not only would this create uncertainty in the law, but it would encourage re-litigation of the same issues and, it could be argued, provide the courts with a means by which to arrive at a result dictated by other than legal considerations. It could effectively end the doctrine of *stare decisis* in division of power cases. . . .
>
> Furthermore, the theory of a shifting purpose stands in stark contrast to fundamental notions developed in our law concerning the nature of "Parliamentary intention". Purpose is a function of the intent of those who drafted and enacted the legislation at the time, and not of any shifting variable.

For these reasons, I think it is unlikely that clause 54(e) of the *Education Act* in its present form would survive a *Charter* challenge.

The mandate of the Select Committee is to consider

> (xi) should the provisions respecting Christian morality be amended to refer only to morality;

Such a change would obviate the possibility of a challenge respecting the words "Christian morality".

However, the Select Committee should not be misled into thinking that clause 34(e) of the *Education Act* is otherwise beyond challenge. The protection provided by paragraph 2(a) of the *Charter* applies to persons who practise no religion. The reference in the preamble to the *Charter* to Canada being "founded upon principles that recognize the supremacy of God" are not determinative. In *Zylberberg* the majority said at page 21

> It is a basic principle in the construction of statutes that a preamble is rarely referred to and, even then, is usually employed only to clarify operative provisions which are ambiguous. The same rule, in our view, extends to constitutional instruments. There is no ambiguity in the meaning of s. 2(a) of the *Charter* or doubt about its application in this case. Whatever meaning may be ascribed to the reference in the preamble to the "supremacy of God", it cannot detract from the freedom of conscience and religion guaranteed by s. 2(a) which is, it should be noted, a "rule of law" also recognized by the preamble.

Thus the duty of a teacher to "encourage in the pupils *by precept and example* a respect for religion" may infringe on the rights of some teachers. One way of dealing with this would be to divide clause 54(e) into two clauses as follows:

> (e) encourage in pupils by precept and example a respect for the principles of morality and for truth, justice, love of country, humanity, industry, temperance and all other virtues;
>
> (ea) encourage in the pupils a respect for religion;

Others may have other suggestions for modernizing clause 54(e).

Gordon L. Hall

Appendix I

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MEMORANDUM

TO: Derrick Kimball, Chairman
Select Committee on Education

FROM: Gordon D. Hebb
Legislative Counsel

DATE: March 25, 1992

SUBJECT: MINORITY LANGUAGE EDUCATIONAL RIGHTS

The question is whether the provisions in the *Education Act* and the *School Boards Act* respecting French-language instruction are inconsistent with the *Canadian Charter of Rights and Freedoms.*

The relevant provisions of the *Canadian Charter of Rights and Freedoms* are as follows:

> *Guarantee of Rights and Freedoms*
>
> 1 The Canadian Charter of Rights and Freedoms guarantees the rights and freedoms set out in it subject only to such reasonable limits prescribed by law as can be demonstrably justified in a free and democratic society.
>
> *Minority Language Educational Rights*
>
> 23 (1) Citizens of Canada
>
> (a) whose first language learned and still understood is that of the English or French linguistic minority population of the province in which they reside, or
>
> (b) who have received their primary school instruction in Canada in English or French and reside in a province where the language in which they received that instruction is the language of the English or French linguistic minority population of the province,

> have the right to have their children receive primary and secondary school instruction in that language in that province.
>
> (2) Citizens of Canada of whom any child has received or is receiving primary or secondary school instruction in English or French in Canada, have the right to have all their children receive primary and secondary school instruction in the same language.
>
> (3) The right of citizens of Canada under subsections (1) and (2) to have their children recive primary and secondary school instruction in the language of the English or French linguistic minority population of a province
>
> (a) applies wherever in the province the number of children of citizens who have such a right is sufficient to warrant the provision to them out of public funds of minority language instruction; and
>
> (b) includes, where the number of those children so warrants, the right to have them receive that instruction in minority language educational facilities provided out of public funds.
>
> *Enforcement*
>
> 24 (1) Anyone whose rights or freedoms, as guaranteed by this Charter, have been infringed or denied may apply to a court of competent jurisdiction to obtain such remedy as the court considers appropriate and just in the circumstances.
>
> (2) Where, in proceedings under subsection (1), a court concludes that evidence was obtained in a manner that infringed or denied any rights or freedoms guaranteed by this Charter, the evidence shall be excluded if it is established that, having regard to all the circumstances, the admission of it in the proceedings would bring the administration of justice into disrepute.
>
> *Application of Charter*
>
> 32 (1) This Charter applies
>
> (b) to the legislature and government of each province in respect of all matters within the authority of the legislature of each province.

As well, subsection 52(1) of the *Constitution Act, 1982* (of which Part I constitutes the *Canadian Charter of Rights and Freedoms*) provides as follows:

> 52 (1) The Constitution of Canada is the supreme law of Canada, and any law that is inconsistent with the provisions of the Constitution is, to the extent of the inconsistency, of no force or effect.

The focus of this opinion is clearly on section 23 of the *Charter* which was considered by the Supreme Court of Canada in *Mahe, Martel, Dubé and Association* *de l'école Georges et Julia Bugnet* v. *The Queen in right of Alberta* (1990), 46 C.R.R. 193. Writing on behalf of a unanimous court, Dickson C.J.C. stated the purpose of section 23 at page 208:

> The general purpose of s. 23 is clear: it is to preserve and promote the two official languages of Canada, and their respective cultures, by ensuring that each language flourishes, as far as possible, in provinces where it is not spoken by the majority of the population. The section aims at achieving this goal by granting minority language educational rights to minority language parents throughout Canada.

In particular, we are concerned with subsection 23(3). Dickson C.J.C. interpreted subsection 23(3) by setting out the relationship between paragraphs (a) and (b) of subsection (3) and introduced the concept of a "sliding scale", the limits of which are set by paragraphs (a) and (b). He said in part at pages 211 to 213

> The proper way of interpreting s. 23, in my opinion, is to view the section as providing a general right to minority language instruction. Paragraphs (a) and (b) of subs. (3) qualify this general right: para. (a) adds that the right to instruction is only guaranteed where the "number of children" warrants, while para. (b) further qualifies the general right to instruction by adding that where numbers warrant, it includes a right to "minority language educational facilities". In my view, subs. (3)(b) is included in order to indicate the upper range of possible institutional requirements which may be mandated by s. 23 . . . .
>
> Another way of expressing the above interpretation of s. 23 is to say that s. 23 should be viewed as encompassing a "sliding scale" of requirement, with subs. (3)(b) indicating the upper level of this range and the term "instruction" in subs. (3)(a) indicating the lower level. The idea of a sliding scale is simply that s. 23 guarantees whatever type and level of rights and services is appropriate in order to provide minority language instruction for the particular number of students involved.
>
> . . . In my view, it is more sensible, and consistent with the purpose of s. 23, to interpret s. 23 as requiring whatever minority language educational protection the number of students in any particular case warrants. Section 23 simply mandates that a government do whatever is practical in the situation to preserve and promote minority language education.

Dickson C.J.C. then goes on to analyze paragraph 23(3)(b) and concludes that where the upper level on the "sliding scale" is mandated that it mandates management and control of the minority language education by the linguistic minority. He concluded that "facilities" does not mean physical structure. He said in part at pages 214 and 215

> In my view, the words of s. 23(3)(b) are consistent with and supportive of the conclusion that s. 23 mandates, where the numbers warrant, a measure of management and control . . . . This common sense conclusion militates against interpreting "facilities" as a reference to physical structure. Indeed, once the sliding scale approach is accepted it becomes unnecesary to focus too intently upon the words "facilities". Rather, the text of s. 23 supports viewing the entire terms "minority language educational facilities" as setting out an upper level of management and control.

and at pages 216 and 217

> In my view, it is essential, in order to further this purpose, that, where the numbers warrant, minority language parents possess a measure of management and control over the educational facilities in which their children are taught. Such management and control is vital to ensure that their language and culture flourish. It is necessary because a variety of management issues in education, *e.g.*, curricula, hiring, expenditures, can affect linguistic and cultural concerns. I think it incontrovertible that the health and survival of the minority language and culture can be affected in subtle but important ways by decisions relating to these issues. To give but one example, most decisions pertaining to curricula clearly have an influence on the language and culture of the minority students.

The next question considered by the Supreme Court of Canada in *Mahe* was the degree of management and control. Dickson C.J.C. said in part at pages 217 and 218

> Section 23 clearly encompasses a right to management and control. . . .
>
> The appellants argue for a completely independent francophone school board. Much is to be said in support of this position and indeed it may be said to reflect the ideal. . . . Historically, separate or denominational boards have been the principle bulwarks of minority language education in the absence of any provision for minority representation and authority within public or common school boards. Such independent boards constitute, for the minority, institutions which it can consider its own with all this entails in terms of opportunity in working in its own language and of sharing a common culture, interest and understanding and being afforded the fullest measure of representation and control. These are particularly important in setting overall priorities and responding to the special educational needs of the minority.

Dickson C.J.C. goes on to say that although an independent school board may be the ideal and necessary under some circumstances, it will not always be required. He said at page 218

> In some circumstances an independent francophone school board is necessary to meet the purpose of s. 23. However, where the number of students enrolled in minority schools is relatively small, the ability of an independent board to fulfill this purpose may be reduced and other approaches may be appropriate whereby the minority is able to identify with the school but has the benefit of participating in a larger organization through representation and a certain exclusive authority within the majority school board. Under these circumstances, such an arrangement avoids the isolation of an independent school district from the physical resources which the majority school district enjoys and facilitates the sharing of resources with the majority board, something which can be crucial for smaller minority schools. By virtue of having a larger student population, it can be expected that the majority board would have greater access to new educational developments and resources. Where the number of s. 23 students is not sufficiently large, a complete isolation of the minority schools would tend to frustrate the purpose of s. 23 because, in the long run, it would contribute to a decline in the status of the minority language group and its educational facilities. Graduates of the minority schools would be less well-prepared (thus hindering career opportunities for the minority) and potential students would be disinclined to enter minority language schools.

Nevertheless, the minority language group may, where not entitled to an independent school board, be entitled to a guarantee of representation on the school board and the minority language group representatives on such a school board may be entitled to management and control of certain matters. Dickson C.J.C. said at pages 219 and 220

> Perhaps the most important point to stress is that completely separate school boards are not necessarily the best means of fulfilling the purpose of s. 23. What is essential, however, to satisfy that purpose is that the minority language group have control over those aspects of education which pertain to or have an effect upon their language and culture. This degree of control can be achieved to a substantial extent by guaranteeing representation of the minority on a shared school board and by giving these representatives exclusive control over all of the aspects of minority education which pertain to linguistic and cultural concerns.
>
> To give but one example, the right to tax (which would accompany the creation of an independent school district), is not, in my view, essential to satisfy the concerns of s. 23 with linguistic and cultural security. Section 23 guarantees that minority schools shall receive public funds, but it is not necessary that the funds be derived through a separate tax base provided adequate funding is otherwise assured.

The *Mahe* case sets out in some detail the degree of management and control to which the minority language group could be entitled where this group is not entitled to an independent school board. Dickson C.J.C. set this out at pages 220 and 221 as follows:

> In my view, the measure of management and control required by s. 23 of the *Charter* may, depending on the numbers of students to be served, warrant an independent school board. Where numbers do not warrant granting this maximum level of management and control, however, they may nonetheless be sufficient to require linguistic minority representation of an existing school board. In this latter case:
>
> (1) The representation of the linguistic minority on local boards or other public authorities which administer minority language instruction or facility should be guaranteed;
>
> (2) The number of minority language representatives on the board should be, at a minimum, proportional to the number of minority language students in the school district, *i.e.*, the number of minority language students for whom the board is responsible;
>
> (3) The minority language representative should have exclusive authority to make decisions relating to the minority language instructional facilities, including:
>
> (a) expenditures of funds provided for such instruction and facilities;
>
> (b) appointment and direction of those responsible for the administration of such instruction and facilities;
>
> (c) establishment of programs of instruction;

(d) recruitment and assignment of teachers and other personnel; and

(e) making of agreements for education and services for minority language pupils.

In summary then, where the minority language group is entitled by virtue of paragraph 23(3)(a) of the *Charter* to minority language instruction, there are perhaps four possibilities respecting the entitlement to minority language educational facilities. The one which is warranted depends upon the numbers. These possibilities are as follows:

(1) The minority language group may be entitled to an independent school board.

(2) The minority language group may not be entitled to an independent school board but may be entitled to guaranteed representation on the school board and entitled to exercise the powers of the school board with respect to certain matters relating to minority language instruction.

(3) The minority language group may not be entitled to an independent school board or to guaranteed representation on the school board but may be entitled to some lesser degree of management and control.

(4) The minority language group may not be entitled to an independent school board or to any management and control.

How do these conclusions relate to the French-language instruction provisions of the *Education Act* and the *School Boards Act*?

The *Education Act* mandates French-language instruction in response to s. 23 of the *Charter*. The *Education Act* provides in part as follows:

2 In this Act,

(ea) "entitled parents" means parents who are citizens of Canada who have the right, pursuant to section 23 of the *Canadian Charter of Rights and Freedoms*, to have their children receive primary and secondary instruction in the French language in the Province;

(eb) "French-language instruction" means a school program in which the language of instruction is French at all grade levels and in which English is taught as a second language, but does not include a French-immersion program;

4A (1) The Governor in Council shall, where the numbers warrant, provide for the establishment of instruction and, where the numbers warrant, educational facilities for the provision of instruction in the French language for the children of entitled parents.

(2) For the purpose of the provision of instruction in the French language for the children of entitled parents, the Governor in Council may make regulations

> (a) prescribing the method for determining those who are entitled to receive instruction in the French language in the Province;
>
> (b) establishing procedures for determining the demand for French-language instruction in the Province;
>
> (c) establishing rules respecting the meaning and application of "where the numbers warrant";
>
> (d) providing for the manner in which entitled parents may participate in French-language instruction program development and delivery;
>
> (e) providing for the admission of pupils to French-language instruction;
>
> (f) requiring school boards to provide French-language instruction;
>
> (g) prescribing the terms and conditions upon which school boards participate in and make financial contributions to French-language instruction;
>
> (h) providing for the method of determining the location of French-language educational facilities;
>
> (i) providing for the administration of French-language instruction in the Province;
>
> (j) requiring school boards to accept pupils from other school districts for the purpose of providing them with French-language instruction;
>
> (k) providing for the conveyance of pupils to schools providing French-language instruction;
>
> (l) where pupils from a school district receive French-language instruction from a conseil d'école or from a school board for another school district, prescribing the amount to be paid or a method of determining the amount to be paid by the school board that would otherwise be responsible for the education of those students to the conseil d'école or other school board with respect to those pupils, and the manner of payment thereof;
>
> (m) respecting the expenditure, by way of grant, out of the moneys appropriated by the Legislature for grants for educational purposes, of sums for conseils d'école and the provision of French-language instruction by other school boards and prescribing the terms and conditions upon which such grants must be paid.

In conjunction with this the *School Boards Act* mandates an independent school board called a *conseil d'école*, for the minority language group where the numbers warrant. The *School Boards Act* provides as follows:

> 2 In this Act, unless the context otherwise requires,
>
> (c) "entitled parents" means parents who are citizens of Canada who have the right, pursuant to section 23 of the Canadian Charter of Rights and Freedoms, to have their children receive primary and secondary instruction in the French language in the Province;
>
> 26 (1) Where
>
> (a) the numbers warrant the establishment of an educational facility for the provision of instruction in the French language to the children of entitled parents; and
>
> (b) the facility is not located in the area of jurisdiction of an Acadian school board,
>
> the Governor in Council shall establish for that facility a conseil d'école to be responsible for the operation and management of the facility.
>
> (3) A conseil d'école has all the powers, duties and responsibilities of a school board with respect to the facility for which it is established and the school board for the school district in which the facility is situate has no powers, duties or responsibilities with respect to the facility.

As I interpret Section 4A of the *Education Act*, the Governor in Council is obligated to provide for minority language education anywhere in the Province when the test set out in paragraph 23(3)(a) of the *Charter* is met. Whether the Governor in Council fulfills the obligation in practice is not a question I am being asked to answer. In all probability, the courts will have to be resorted to, on occasion, to determine the whether the numbers warrant minority language education. In my opinion the *Education Act* is consistent with the requirements of paragraph 23(a) of the *Charter*.

Section 4A of the *Education Act* and Section 26 of the *School Boards Act* may not satisfy the requirements of clause 23(3)(b) of the *Charter*. Certainly, Section 26 of the *School Boards Act* provides for an independent school board where the numbers warrant. In fact, it goes beyond the requirements of paragraph 23(3)(b) of the *Charter* in that it requires an independent school board wherever the numbers warrant the establishment of a minority language educational facility. At the other end of the "sliding scale", the Governor in Council may make regulations purusant to clause 4A(2)(d) "providing for the manner in which entitled parents may participate in French-language instruction program development and delivery". In view of the higher standard (the lower threshold) for the establishment of independent school boards for minority language groups, can there ever be a situation as envisaged by Dickson C.J.C. where the minority language group would be entitled to guaranteed representation on the regular school board and to certain rights of management and control? In my opinion, it would be difficult to conclude that such a situation could arise but it is far from a certainty to say that it could not. In all probability it will depend upon how generously subsection 4A(1) of the *Education Act* is applied by the establishment of minority language educational facilities.

Another more obvious problem is clause 26(1)(b) of the *School Boards Act* which disentitles the minority language group to an independent school board where the minority language educational facility is located in the area of jurisdiction of an Acadian school board, that is, in an Acadian district. This clause is clearly inconsistent with paragraph 23(3)(b) of the Charter unless the provisions respecting Acadian districts satisfy the requirements of paragraph 23(3)(b).

Any discussion of Acadian districts should include Acadian schools. The Governor in Council can designate any school in the Province as an Acadian school but only upon request of the school board. As well, the Governor in Council may designate any school district as an Acadian district. An Acadian school need not be in an Acadian district, but in fact all of them are. An Acadian district need not have any Acadian schools but in fact all of them (there are three Acadian districts) have at least one Acadian school. The *Education Act* provides in part as follows:

> 4 The Governor in Council has the general supervision of public schools and education in the Province and, without restricting the generality of the foregoing, may
>
> (b) upon the request of a school board, or the joint request of two or more school boards, and upon the recommendation of the Minister, designate
>
> (i) as an Acadian school, a school that is within the jurisdiction of the board or one of the boards, and
>
> (ii) as the area which is to be served by the Acadian school, an area in which there is a sufficient number of children, whose first language learned and still understood is French, to warrant provision of public funds for instruction to be carried out in the French language,
>
> and, where the request is from two or more boards, determine the responsibilities of each board in relation to the school;
>
> (c) upon the recommendation of the Minister, designate an Acadian district and make determinations respecting the operation of and support for an Acadian district;
>
> 5 The Minister may
>
> (n) determine the ratio of instruction in French to instruction in English in Acadian schools, prescribe courses of study in French and authorize French language textbooks and related materials for use in Acadian schools;
>
> 7 The principal language of administration of an Acadian school and communication of an Acadian school with the community it serves shall be French.

Acadian districts can have minority language educational facilities pursuant to subsection 4A(1) of the *Education Act* but in fact none of them do. The only practical effect of a school district being an Acadian district is that the school board receives additional funding and no *conseil d'école* can be located within it.

Since the minority language group are precluded by clause 26(1)(b) of the *School Boards Act* from having an independent school board under any circumstances to manage and control educational facilities established pursuant to subsection 4A(1) of the *Education Act* in an Acadian district, it is my opinion that clause 23(1)(b) of the *School Boards Act* is in conflict with paragraph 23(3)(b) of the *Charter*. Even if it could be argued that the Acadian schools meet the requirements of paragraph 23(3)(b) of the *Charter* in the case of Acadian districts (I am quite surethat it could not be successfully argued), then clause 4(b) of the *Education Act* would be inconsistent with paragraph 23(3)(b) of the *Charter* because of the requirement that the Governor in Council only designate an Acadian school at the request of the school board.

It is interesting to note that in one of the Acadian districts, namely the Clare-Argyle district, that the minority language group are in the majority and consequently manage and control the district school board. If this were the only Acadian district then clause 26(1)(b) might not be in practice inconsistent with paragraph 23(3)(b) of the *Charter*. But this is not the case. Two other Acadian districts, namely Inverness and Richmond, have been designated and there the minority language group of the Province are the minority group within the districts.

Clause 26(1)(b) of the *School Boards Act* cannot be "demonstrably justified in a free and democratic society" under section 1 of the *Charter*. The only thing that *Mahe* contemplates being justified is some minimal amount of English language instruction.

There remains to discuss the provisions respecting Acadian schools. Are they in themselves inconsistent with section 23 of the Charter? They were challenged in *Lavoie et al.* v. *Attorney General of Nova Scotia* (1989), 58 D.L.R. (4th) 293 (N.S.C.A.). The Appeal Division of the Supreme Court of Nova Scotia held in that case that the provisions respecting Acadian schools were not contrary to s. 23 of the *Charter*. Clarke C.J.N.S. said at page 312

> The Appellant's contention cannot be accepted because it failed to recognize that the rights provided in s. 23 of the Charter relate to a different class of persons than the Acadian School Amendment. There is no reason why s. 23 of the Charter, which affords minimum language education rights to *parents* cannot peacefully co-exist with the sections of the *Education Act* that relate to *children* whose first language learned and still understood is French. Rather than detracting from the rights of Canadian citizens recognized by s. 23 of the Charter, the Acadian School Amendment has the effect of magnifying the rights available to individuals who belong to a linguistic minority.

The Prince Edward Island Court of Appeal came to an opposite conclusion in *Reference re Minority Education Rights* (1988), 49 D.L.R. (4th) 499, on legislation with some similarities. (See also *Reference re Education Act of Ontario and Minority Language Education Rights* (1984), 11 C.R.R. 17 (Ont. C.A.).) I prefer the reasoning of the Nova Scotia court.

It may be suggested that the repeal of clause 26(1)(b) of the *School Boards Act* would destroy the Acadian school system which is preferred by many of Nova Scotia's francophones. It does not follow that any minority language educational facilities would necessarily be established in any of the Acadian districts with the resultant independent school board or *conseil d'école*. In applying the tests in subsection 23(3) of the *Charter*, *Lavoie* makes it clear that the numbers are the numbers who actually enrol and not the numbers who could enrol. In my opinion, *Mahe* leads one to the same conclusion. An overwhelming majority of the Acadians may prefer the Acadian schools.

Since many or most Acadians may prefer the Acadian schools under the district school board, any legislative changes may need to ensure that the Acadian schools are not considered educational facilities within the meaning of subsection 4A(1) of the Education Act with the resultant mandatory establishment of an independent school board. Some, but certainly not all, Acadian schools may be indistinguishable in their programs from some "Charter schools". Although English is taught as a second language at the only "Charter school" under the jurisdiction of a *conseil d'école*, namely, the Carrefour du Grand Havre School in Dartmouth, other "Charter schools" might teach English as a first language as is done in the Acadian schools. And although Acadian schools may offer other subjects in English, so might a "Charter school". Dickson C.J.C. said in part in *Mahe* at pages 233 and 234

> The Appellants' rights under s. 23 include a general right for their children to be instructed entirely in the French language. However, by virtue of s. 1 of the *Charter*, "reasonable" limitations of Charter rights are permitted. . . .
>
> I am prepared to agree with the Alberta courts that a certain amount of mandatory English language instruction is a reasonable limitation on s. 23. It seems indisputable that some English language education is important for all students in Alberta.

The same is obviously true for Nova Scotia.

However, Acadian schools are not "Charter schools". The persons entitled to attend are different. The management and control envisaged by clause 23(3)(b) of the *Charter* is not present (not even if a board of trustees were established pursuant to the *Education Act*; the powers of trustees pursuant to subsection 12(5) of the *Education Act* are quite limited).

In summary, it is my opinion that

(a) clause 26(1)(b) of the *School Boards Act* is inconsistent with paragraph 23(3)(b) of the *Charter* and cannot be justified pursuant to section 1 of the *Charter*;

(b) the *School Boards Act* may need to include guaranteed minority language group representation on the district school board where there is no independent school board and provide for those representatives to have certain powers in respect of the minority language education; and

(c) the provisions respecting Acadian schools and Acadian districts (other than clause 26(1)(b) of the *School Boards Act*) are not inconsistent with the *Charter*.

hs

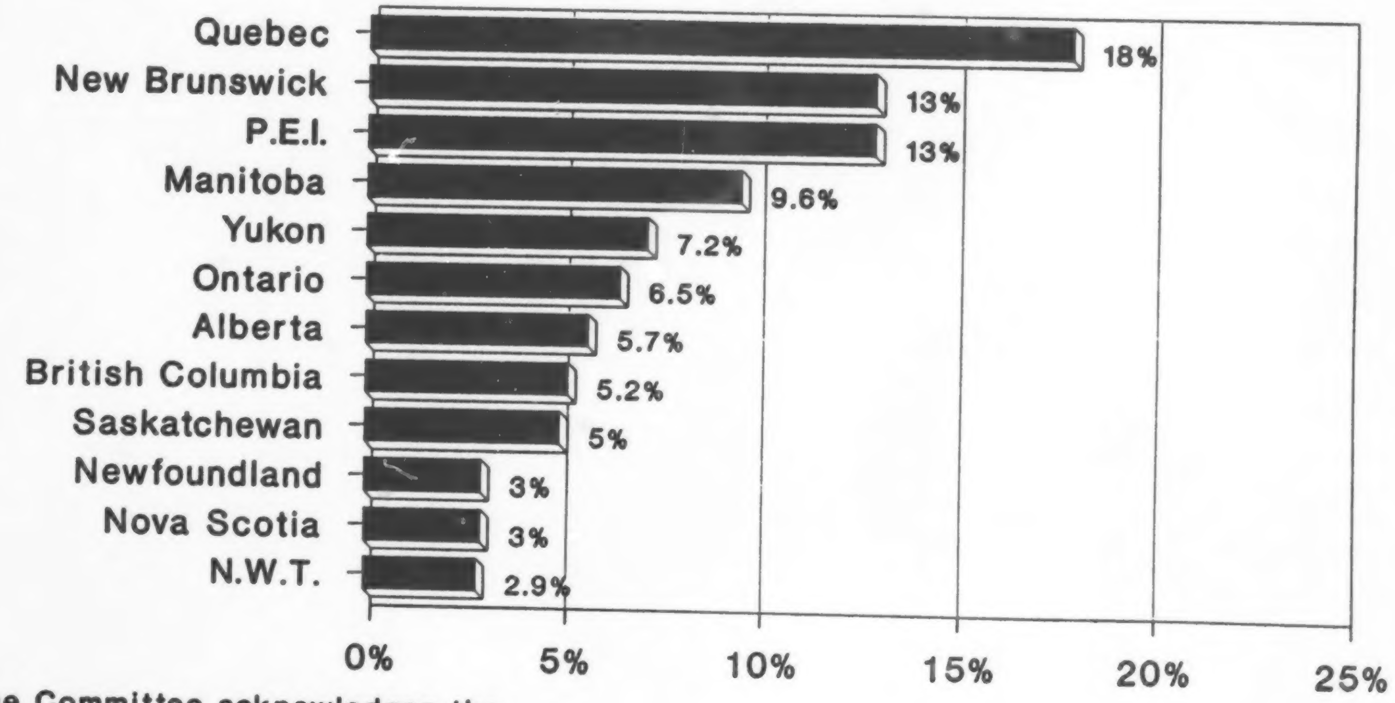
Gordon D. Hebb

Appendix J

French Immersion

% of total public school population
enrolled in French immersion in 1989-90

by Province

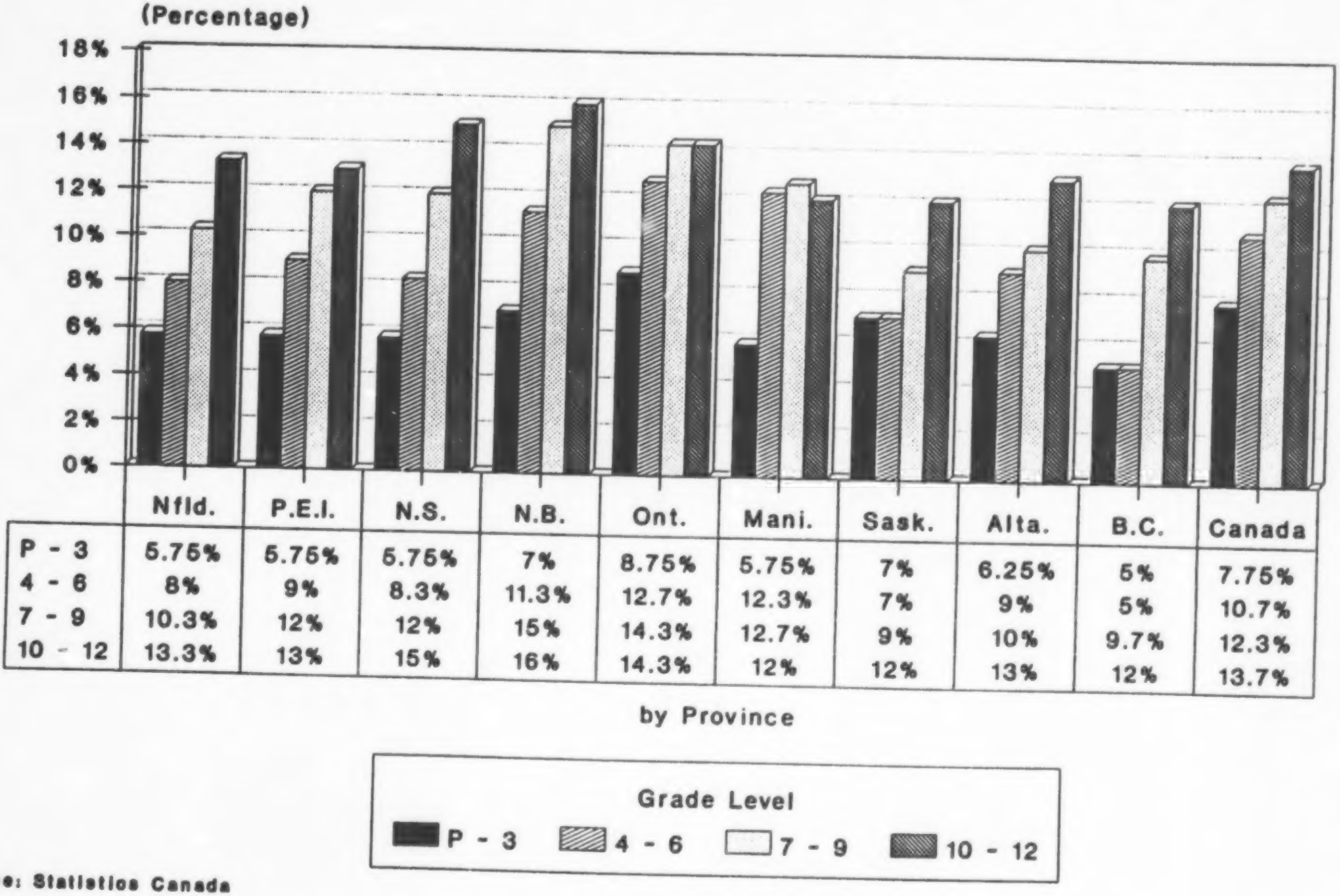


The Committee acknowledges the
Pictou Chapter of the CPF for presenting
this chart. Orginal Source: Stats Canada

Appendix J-1

REGULAR SECOND LANGUAGE PROGRAM

% of School Week in 2nd Language Instruction, by Province



	Nfld.	P.E.I.	N.S.	N.B.	Ont.	Mani.	Sask.	Alta.	B.C.	Canada
P - 3	5.75%	5.75%	5.75%	7%	8.75%	5.75%	7%	6.25%	5%	7.75%
4 - 6	8%	9%	8.3%	11.3%	12.7%	12.3%	7%	9%	5%	10.7%
7 - 9	10.3%	12%	12%	15%	14.3%	12.7%	9%	10%	9.7%	12.3%
10 - 12	13.3%	13%	15%	16%	14.3%	12%	12%	13%	12%	13.7%

Source: Statistics Canada

Appendix K

Percentage distribution of adult aged 16-69

by industry showing reading skill level, Canada

Industries	Population	Reading Level		
Source: Statistics Canada	(Thousands)	1&2	3	4
Agriculture	487	21%	31%	48%
Other primary industries	374	21%	29%	50%
Non-durable manufacturing	1,304	18%	27%	56%
Durable manufacturing	1,299	14%	26%	61%
Construction	745	15%	27%	58%
Transportation	1,090	8%*	19%	73%
Wholesale trade	640	8%*	18%	74%
Retail trade	2,097	10%	25%	64%
Finance, insurance & real estate	761	**	15%	81%
Community service	2,677	9%	14%	76%
Personal service	1,437	17%	26%	57%
Services to business & misc.	1,240	9%*	17%	74%
Public administration	1,164	6%*	16%	78%
All industries	15,315	11%	21%	67%
All adults	17,705	15%	23%	63%

* sampling variability associated with estimate is high

Percentage distribution of adult aged 16-69

by occupation showing reading skill level, Canada

Occupations	Population	Reading Level		
Source: Statistics Canada	(Thousands)	1&2	3	4
Managerial, administrative & related occupations	1,823	**	12%	85%
Natural sciences, engineering & social sciences	913	**	10%	86%
Teaching & related	693	**	**	92%
Health & related	728	10%*	14%*	76%
Clerical & related	2,584	4%*	20%	75%
Sales	1,481	7%*	24%	69%
Service	2,329	21%	27%	52%
Farming & other primary	692	21%	33%	46%
Processing & machining	967	18%	30%	52%
Product fabricating	1,094	23%	28%	49%
Construction trades	749	17%	29%	54%
Other	1,263	13%	22%	65%
All occupations	15,315	11%	21%	67%
All adults	17705	15%	23%	63%

** sampling variability for estimate is too high to be released

Non-durable manufacturing includes industry's such as food processing and textiles, while Durable manufacturing includes industry's such as automobile manufacturing. Community services include nurses and health care; Personal services include barbers, cosmetologists. Services to business include all industries which depend on other businesses such as consultants or accountants.

Defining reading levels:

-Level 1; Canadians at this level have difficulty dealing with printed materials. They most likely identify themselves as people who cannot read.

-Level 2; Canadians at this level can use printed materials for limited purposes only, such as finding a familiar word in a simple text. They would likely recognize themselves as having difficulties with common reading materials.

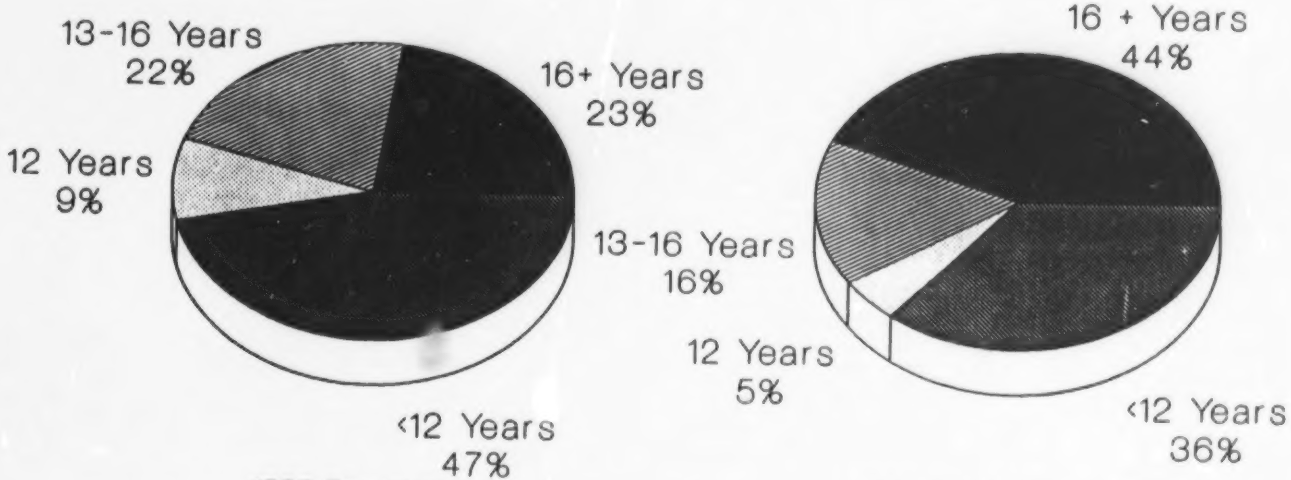
-Level 3; Canadians at this level can use reading materials in a variety of situations, provided the material is simple, clearly laid out, and the tasks involved are not too complicated. While these people generally do not see themselves as having significant reading difficulties, they tend to avoid situations requiring reading.

-Level 4; Canadians at this level meet most everyday reading demands. This is a diverse group which exhibits a wide range of skills.

Appendix K-1

RISING SKILL REQUIREMENTS

EMPLOYMENT BY SKILL REQUIREMENTS



1986 Employment
% may not sum to 100 due to rounding

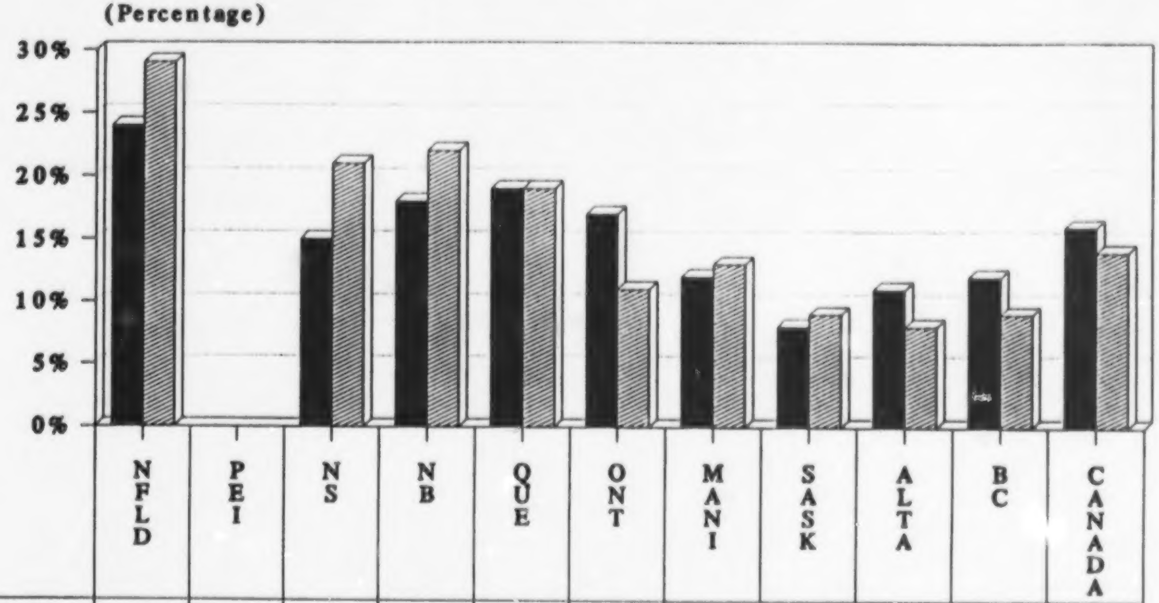
1989-2000 Employment
% may not sum to 100 due to rounding

Source: Employment & Immigration Canada

Appendix L

Literacy & Numeracy Skills

Provinces and Canada
Level 1&2 reading; Level 1 numeracy



	NFLD	PEI	NS	NB	QUE	ONT	MANI	SASK	ALTA	BC	CANADA
Reading Skills	24%		15%	18%	19%	17%	12%	8%	11%	12%	16%
Numeracy Skills	29%		21%	22%	19%	11%	13%	9%	8%	9%	14%

By Province & Canada, adults 16-69 years

% with low skills
■ Reading Skills ▨ Numeracy Skills

Source: Statistics Canada, 1991
PEI not included, some estimates have
high sampling variability

Appendix M

SUMMARY OF RECOMMENDATIONS

Recommendation No. 1

(a) For the purpose of the Nova Scotia High School Completion Certificate, it is recommended that there be 10 compulsory credits:

Compulsory Credits

- 3 English Language Arts
- 1 French Language Arts (Acadian schools - 3 French)
- 1 Mathematics
- 1 Science from:
  - Physics
  - Chemistry
  - Biology
  - Physical Science
- 2 Social Studies:
  - 1 Global Studies
  - 1 from Geography
    - History
    - Economics
- 1 Fine Arts from
  - Drama
  - Music
  - Art
- ½ Independent Living Skills
- ½ Physically Active Lifestyles

Total = 10 compulsory credits (Acadian schools = 12)

(b) It is recommended that school boards be allowed up to five years to permit the resources to be assembled for full implementation of the compulsory French, fine arts, independent living skills and physically active lifestyles credits. Students entering grade 10 in September, 1989 will be required to take 18 credits and to fulfil the compulsory requirements in English, mathematics, social studies and science. Compulsory credits in French, fine arts and independent living skills and physically active lifestyles will be required of students entering grade 10 in September, 1993.

(c) It is further recommended that the high school completion program for students in Acadian schools continue to be reviewed as to the implications and implementation of these changes, with the assistance of a Minister's Comité Avisoire sur l'Éducation, involving representatives of the Acadian community.

(d) It is recommended that the role of business education be reviewed by the sub-committee on business education of the Advisory Committee on the Public School Program, and that this review be considered at an appropriate time by the standing advisory committee.

Recommendation No. 2

(a) It is recommended that the number of credits required for Nova Scotia high school graduation be increased from 16 to 18, and that this recommendation be implemented for students entering grade 10 in September, 1989.

(b) It is recommended that the Department of Education, in particular the Curriculum Development/Élaboration de Programmes divisions, and the Inspection Services division work closely with school boards to supervise and monitor implementation of this requirement.

Recommendation No. 3

It is recommended that courses approved for full credit for the purpose of a Nova Scotia High School Completion Certificate shall be of a minimum of 120 hours, and that this shall not preclude school boards from offering additional hours as circumstances permit.

Recommendation No. 4

It is recommended that the Minister of Education change the current regulations to clarify the difference between instructional time and the length of the school day, and to ensure that a minimum of 300 minutes of instructional time per day is provided in every senior high school.

Recommendation No. 5

(a) It is recommended that most high school completion courses be designated "academic", with the exception of English, French, mathematics, science, and social studies, in which areas some specific courses may be designated "preparatory" by the Department, and taught in greater depth and at a higher level of abstraction, in order to prepare students to be able to continue their study of these subjects beyond high school.

(b) It is recommended that the course coding system be further simplified as follows:

first three letters [ENG] = name of course [English]
first two digits [10] = year in which [grade 10] course is normally taken
letter P if required = denotes a preparatory course
additional letter(s) or digits, if required = denote(s) special circumstances, such as Acadian program [A], immersion [I] etc., or two or more courses in the same discipline, offered in the same grade

(c) It is recommended that immediate consideration be given by all concerned to a further reduction of the multiple levels that remain in high school courses, to be accomplished within a period of ten years. Such a development should ensure that the high school experience more closely resembles that of the elementary levels, with less segregation of students of different abilities, and with the attention to individualized instruction and flexible teaching methods that characterizes the earlier school years.

Recommendation No. 6

It is recommended that the Minister follow up the discussions of the Steering Committee on Alternatives by establishing a Task Force with the mandate to develop alternatives to enhance the learning opportunities of students entering high school, particularly those who have difficulty meeting the criteria of current program offerings.

Recommendation No. 7

It is recommended that these recommendations be made public, along with the Minister's response.

Recommendation No. 8

It is recommended that the Minister request school boards to develop their projections on implementation of the recommendations and to submit these plans of action through the Inspector of Schools, within six months of the date of adoption of these recommendations.

Recommendation No. 9

In the implementation of those recommendations which are adopted by the Minister of Education, the Advisory Committee on the Public School Program recommends that there be assistance to and continuing communication by the Department of Education with all responsible for effecting these changes.

Appendix N

Special Education Staff (Professional & Paraprofessional) 1990-91

Source: Dept. of Education; Note: (E) - Elementary level, (J) - Junior High level, (S) - Senior High level.

		ANN	ANT	CB	C-A	CEH	CUM	DAR	DIG	GUY	HCB	HFX	HW	INV	KIN	LUN	NV	PIC	QUE	RIC	SHE	YAR
Supervisors of Special Ed.	34	1	2	1	1	1	1	4		3	6	4	1	1	1	1	1	1	1	1	1	1
Educational Assessors	37	1		5		3	3	2		1			8	2	3	1	2					6
Registered Psychologists	34	1	1	2	1	2		4	1		10	4				1	1	3	1	1	1	
Speech Language Pathologists	65	2	2	4		7	3	6	1	1	11	9	2	1	3	5	1	3	1	1	1	1
Speech Correctionist	5			4													1					
Special Class Teacher																						
Mentally Handicapped(E)	58		2	13	3	5	3	3		1	2		2	1			3	10	2	2	2	4
Mentally Handicapped(J)	37	1	1	7	1		2	3	2	2	3		1	2			1	6	2	2		1
Mentally Handicapped(S)	44	1	1	11	1	1	4	3	1		5	2	1	2			1	4		2	3	1
Behavioural Disordered(E)	7							1			2	4										
Behavioural Disordered(J)	2							1											1			
Behavioural Disordered(S)	0																					
Multiply Handicapped(E)	13			4		1		2				1				3	1					1
Multiply Handicapped(J)	10					4		2			2	1				1						
Multiply Handicapped(S)	3					1					1					1						
Learning Disabled(E)	6.5							4			2	0.5										
Learning Disabled(J)	4.5							3				0.5										1
Learning Disabled(S)	2							2														
Other Special Class Teachers	54		2	8				8				21	6			9						
Resource Teachers(E)	330.1	12	10.6	27	8	23	12	27	5	7	52	29	12.5	9	26	16	15	16	4	6	7	6
Resource Teachers(J)	93.5		2	6		8	3	8	4	3	18	6		7	8	4	1	11		2		2.5
Resource Teachers(S)	36			1			3	2	2		3	4		7	9	1	1					3
Integration Support Teacher(E)	30	3	2			2					17	4			2							
Integration Support Teacher(J)	12.9	1									2	3.4	1		5.5							
Integration Support Teacher(S)	9.5										4				5.5							
Social Workers	9							5				4										
Other Professional Staff	13							2			1											10
Contracted Professional Staff	4			2				2														
TOTAL PROFESS.	954	23	25.6	95	15	58	34	94	16	18	141	97.4	34.5	32	63	43	29	54	12	17	15	37.5
Paraprof.(Specific Students)	317	25	2	32	5	33	17	18		5	66	5	9	9	22	15	11	20	9	4	5	5
Paraprof.(Teacher/School)	232.9	1	8.4	2	1		7	35	3	2.5		32	9		63	11	6	26	8		8	10
Other Paraprofessional Staff	11													2	9							
TOTAL PARAPROFESS.	560.9	26	10.4	34	6	33	24	53	3	7.5	66	37	18	11	94	26	17	46	17	4	13	15

Appendix O

Substitute Teacher Expenditures

Source: Dept. of Education

	Substitute Teacher Expenditures		Total Salaries 1990	Teachers Total # 1990-91	Enrolment Total # 1990-91	Subs Expend as % of Total Salaries	Subs Expend Costs per Teacher	Subs Expend Costs per Student
	1989	1990*						
Annapolis	$449,391	$532,653	$10,893,417	263	4054	4.89%	$2,025.30	$131.39
Antigonish	$295,566	$369,306	$12,935,559	289	4529	2.85%	$1,277.88	$81.54
Cape Breton	$1,969,791	$1,917,632	$55,252,263	1180	19090	3.47%	$1,625.11	$100.45
ClareArgyle	$254,871	$299,103	$9,472,992	212	3084	3.16%	$1,410.86	$96.99
Colc East H	$1,106,828	$1,539,975	$34,425,476	806	13168	4.47%	$1,910.64	$116.95
Cumberland	$516,723	$584,167	$16,580,644	394	6104	3.52%	$1,482.66	$95.70
Dartmouth	$934,747	$1,164,289	$32,494,411	755	11020	3.58%	$1,542.10	$105.65
Digby	$283,852	$309,610	$6,097,442	136	2068	5.08%	$2,276.54	$149.71
Guysborough	$221,324	$258,142	$7,498,390	171	2455	3.44%	$1,509.60	$105.15
Halifax	$1,196,303	$1,770,736	$50,141,069	1088	14266	3.53%	$1,627.51	$124.12
HCo Bedford	$3,037,182	$3,425,939	$81,006,280	1878	30123	4.23%	$1,824.25	$113.73
Hants West	$330,668	$371,462	$9,461,944	208	3489	3.93%	$1,785.88	$106.47
Inverness	$457,139	$426,914	$13,634,045	301	4559	3.13%	$1,418.32	$93.64
Kings	$1,101,622	$1,273,584	$30,788,062	714	11157	4.14%	$1,783.73	$114.15
Lunenburg	$556,859	$503,812	$21,130,254	513	8283	2.38%	$982.09	$60.82
North-Vict	$627,282	$633,561	$20,180,546	452	6983	3.14%	$1,401.68	$90.73
Pictou	$784,594	$969,493	$27,553,406	622	10311	3.52%	$1,558.67	$94.03
Queens	$176,206	$132,727	$6,367,991	150	2284	2.08%	$884.85	$58.11
Richmond	$254,580	$270,511	$8,110,541	175	2358	3.34%	$1,545.78	$114.72
Shelburne	$253,764	$277,346	$7,717,998	179	3014	3.59%	$1,549.42	$92.02
Yarmouth	$210,491	$281,037	$8,356,448	198	3340	3.36%	$1,419.38	$84.14
TOTAL	$14,555,528	$16,753,616	$454,024,732	10307	159385	3.69%	$1,625.46	$105.11

* Unaudited

Appendix P

LUNENBURG AGREEMENT

ARTICLE 26 SUBSTITUTE TEACHERS

26.01 Subject to the availability of qualified substitute teachers, a substitute teacher shall be hired whenever a regular classroom teacher is absent because of illness.

26.02 Notwithstanding 26.01, in circumstances when it is not appropriate to hire substitutes when a regular classroom teacher is absent because of illness, the administration may, in its discretion, decide not to hire substitutes.

26.03 When a regular classroom teacher is absent for reasons other than illness, the decision as to whether to hire a substitute teacher shall be at the discretion of the administration.

26.04 Notwithstanding any other clause in this article or any other article in this agreement, the maximum financial commitment of the Board for substitute teachers shall not exceed two percent (2%) of the total yearly salaries for in-school NSTU staff.

26.05 Notwithstanding 26.01 to 26.04 inclusive, a substitute teacher shall be provided for teachers who are absent from school for coaching a team during an N.S.S.A.F. provincial championship.

26.06 In the interest of program continuity, pursuant to 7.07, every reasonable effort will be made to provide the name of a substitute to the teacher requesting leave, at least thirty (30) days prior to the commencement of the leave.

ARTICLE 23 SUBSTITUTE TEACHERS

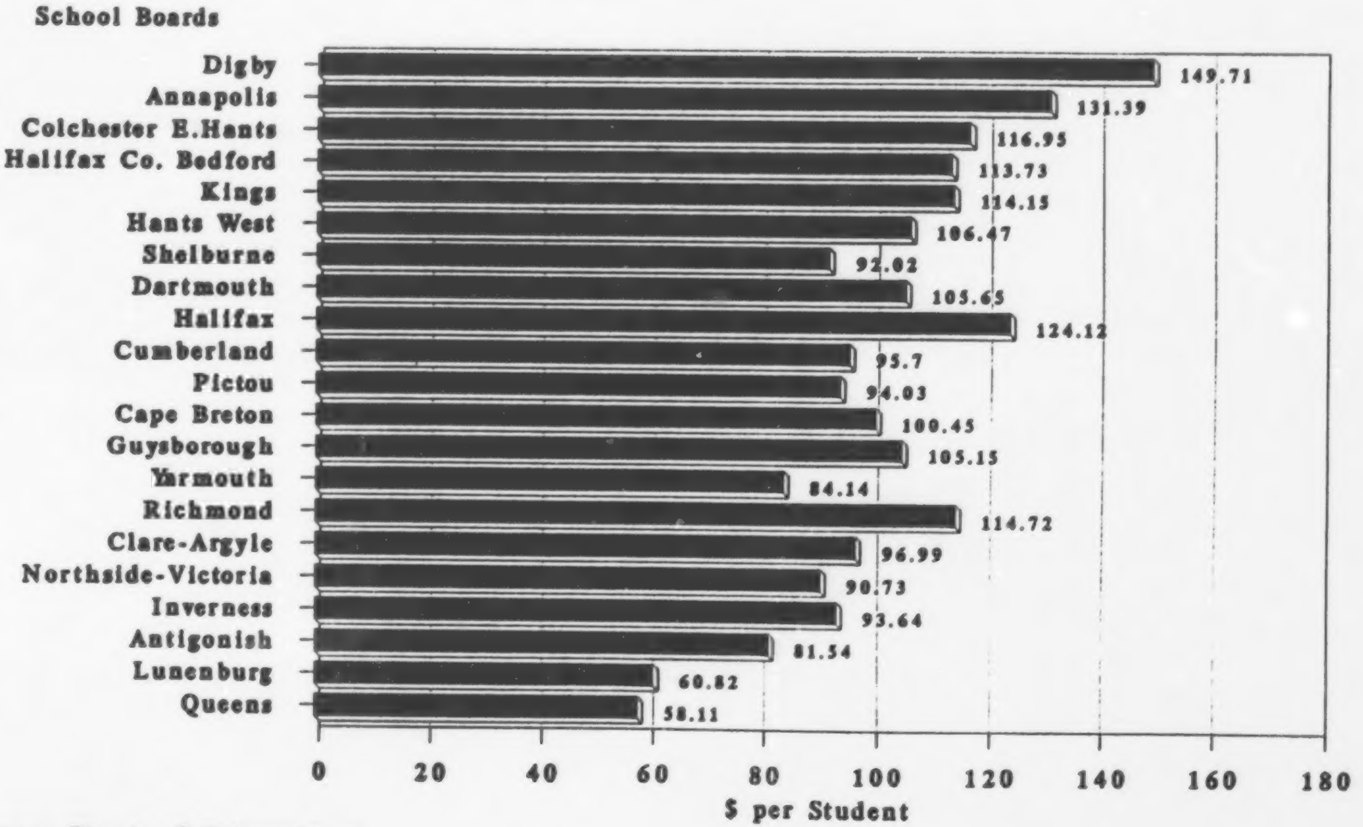
23.01 Substitute teachers shall be hired by the Board whenever a teacher is not available to teach his/her students.

23.02 Substitutes shall be paid pursuant to Article 4 where possible. In no case shall they be paid for substituting done for the Board later than one (1) month provided the required documentation has been received.

Appendix Q-1

Substitute Teacher Costs

Costs per Student

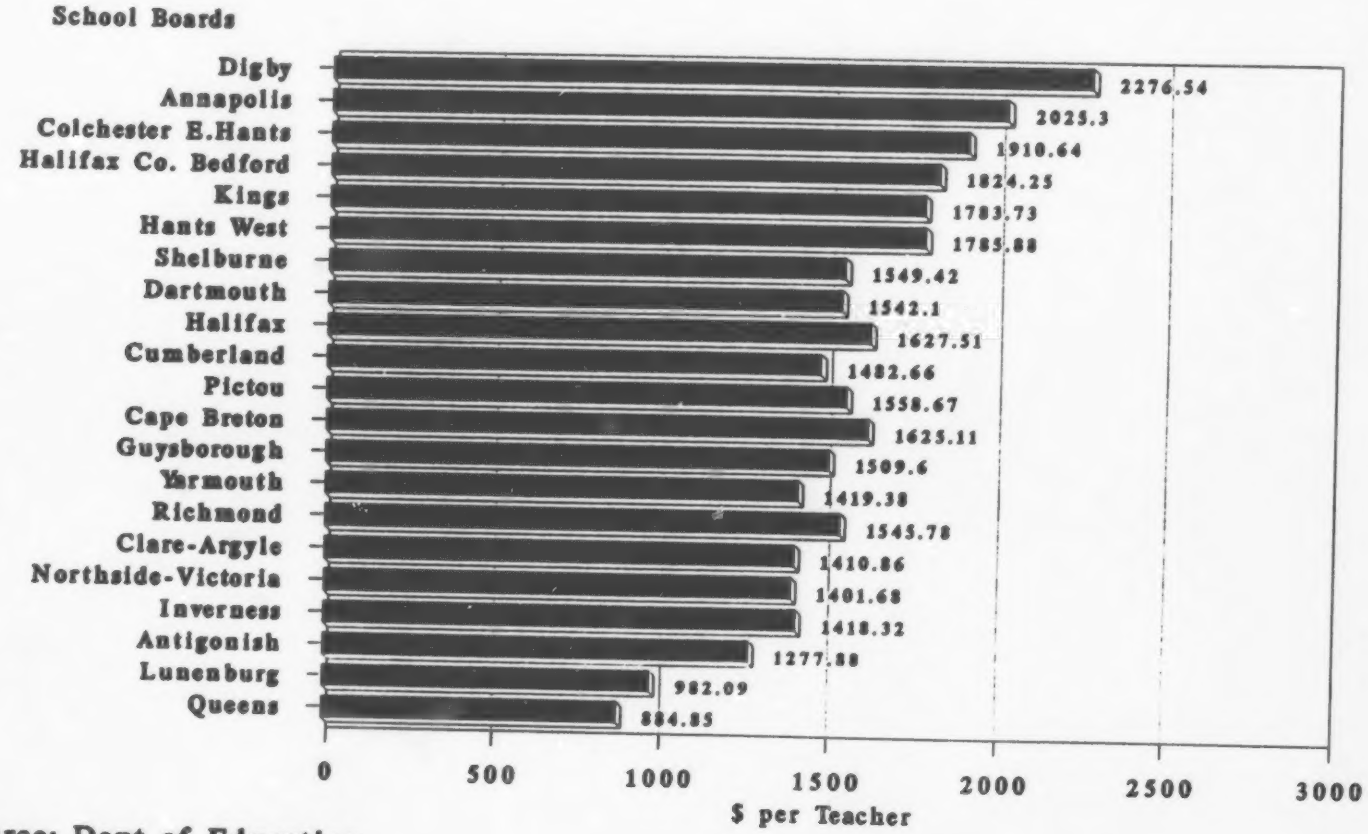


Source: Dept of Education

Appendix Q-2

Substitute Teacher Costs

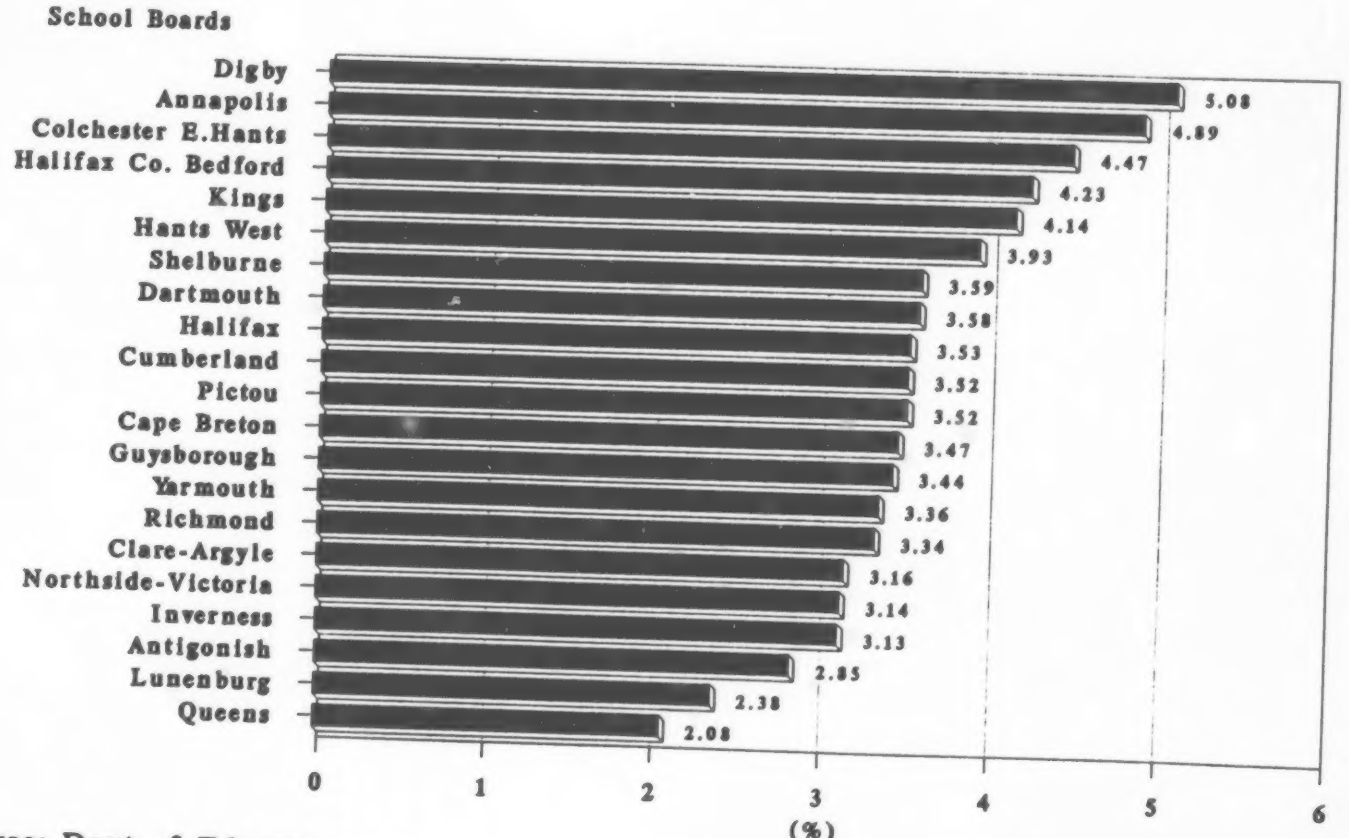
Costs per Permanent Teacher



Source: Dept of Education

Appendix Q-3

Substitute Teacher Costs
as a % of Total Salaries



Source: Dept of Education

Appendix Q-4

SUBSTITUTE TEACHING IN NOVA SCOTIA

Example: TC6 with nine years experience

Schedule D(Effective August 1, 1989) NSTU Agreement
TC6 with nine years experience - $44,472

Article 32 Substitute Teachers
Daily rate for first day = $44,472 divided by 261 = $170.39
of substitute work
(This rate remains the same up to and including day twenty)

Daily rate on and after = $44,472 divided by 195 = $228.06
twenty-one days of consecutive
substitute work

(In addition to the higher daily rate upon twenty-one days of consecutive service, the substitute teacher receives a revised payment for the first twenty days of work at the higher rate.)

$228.06 - $170.39= $57.67 Rate Differential per Day

$57.67 X 20 days = $1153.40 Total Lump Sum for having worked an extra day after twenty days.

Total Cost of Substitute Teacher for:
(TC6 and nine years of experience)

10 Days - $1703.90 - $170.39 per day X 10 days
20 Days - $3407.80 - $170.39 per day X 20 days
21 Days - $4789.26 - See Calculation Below

$3407.80 - $170.39 per day X 20 days
$228.06 - $228.06 per day X 1 day
$1153.40 - $57.67 X 20 days
$4789.26 - TOTAL

(i.e., Substitute work done after day twenty will provide a large financial lump sum for the Substitute Teacher, in this case a $1153.40 payment is granted for having worked an extra day.)

Source: Minister of Education/NSTU Agreement

Appendix R

Pupil to Actual Classroom Teacher & Administrator Ratios (1990-91)

	(FTE)* CLASSROOM TEACHER (1)	(FTE)* ADMINIS-TRATOR (2)	(FTE)* TOTAL (3)	ENROL-MENT (4)	PUPIL TO CLASSROOM TEACHER (1)/(4)	PUPIL TO ADMINIS-TRATOR (2)/(4)	PUPIL TO TOTAL 1990-91 (3)/(4)
Annapolis	235.8	16.7	252.5	4054	17.2	242.8	16.1
Antigonish	268.1	20.5	288.6	4529	16.9	220.9	15.7
Cape Breton	1090.6	83.3	1173.9	19090	17.5	229.2	16.3
Clare-Argyle	196.0	13.9	209.9	3084	15.7	221.9	14.7
Col. E-Hants	735.5	53.4	788.9	13168	17.9	246.6	16.7
Cumberland	355.6	24.5	380.1	6104	17.2	249.1	16.1
Dartmouth	659.1	72.8	731.9	11020	16.7	151.4	15.1
Digby	125.9	9.2	135.1	2068	16.4	224.8	15.3
Guysborough	152.7	15.3	168.0	2455	16.1	160.5	14.6
Halifax	944.6	103.5	1048.1	14266	15.1	137.8	13.6
HfxCo.-Bedford	1675.7	144.6	1820.3	30123	18.0	208.3	16.5
Hants West	186.1	15.4	201.5	3489	18.7	226.6	17.3
Inverness	277.9	21.2	299.1	4559	16.4	215.0	15.2
Kings	628.2	53.2	681.4	11157	17.8	209.7	16.4
Lunenburg	449.6	37.9	487.5	8283	18.4	218.5	17.0
Northside-Vic	417.7	30.0	447.7	6983	16.7	232.8	15.6
Pictou	570.4	40.3	610.7	10311	18.1	255.9	16.9
Queens	134.0	11.0	145.0	2284	17.0	207.6	15.8
Richmond	158.1	16.9	175.0	2358	14.9	139.5	13.5
Shelburne	164.2	13.4	177.6	3014	18.4	224.9	17.0
Yarmouth	179.8	14.5	194.3	3340	18.6	230.3	17.2
TOTAL	9605.6	811.5	10417.1	165739	17.3	204.2	15.9

* The figures under FTE (full-time equivalent) have been prorated to represent the division between administration and teaching activities for all staff.

For example, a principal who teaches 25% of the time is .25 FTE teaching and .75 FTE administration.

Source: Dept. of Education

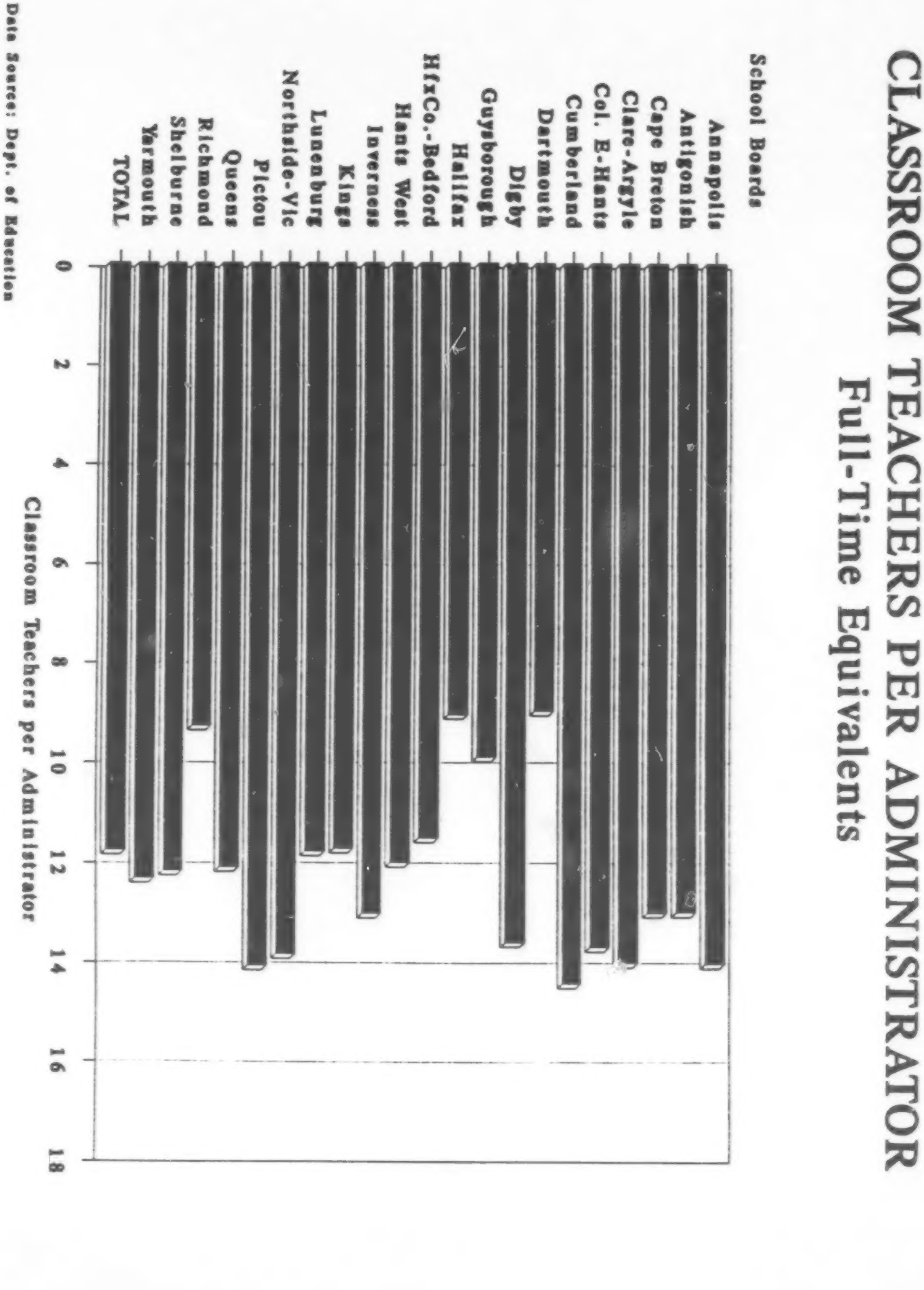
Appendix R-1

Pupil to Teacher* Ratio(FTE)
Source: Dept. of Education

BOARD	*80-81*	*81-82*	*82-83*	*83-84*	*84-85*	*85-86*	*86-87*	*87-88*	*88-89*	*89-90*	*90-91*	*AVG*
ANN	17.2	16.5	16.6	16.4	16.1	16.6	17.5	16.7	16.3	16.2	16.1	16.6
ANT	17.6	17.6	17.7	17.9	17.4	17.3	17.0	16.3	16.4	16.3	15.7	17.0
C-B	17.6	17.3	17.2	17.4	16.9	16.7	16.9	16.8	16.5	16.3	16.3	16.9
C-A	17.0	16.5	16.0	15.4	15.1	15.6	15.3	14.9	14.5	14.5	14.7	15.4
COL	18.5	18.5	18.0	17.9	17.7	17.7	17.7	17.6	16.8	16.0	16.7	17.6
CUM	17.2	16.8	17.0	17.5	17.2	17.0	16.8	16.6	16.0	15.9	16.1	16.7
DAR	16.3	16.2	15.3	15.0	15.2	15.1	15.5	15.0	14.6	14.5	15.1	15.3
DIG	16.5	16.0	15.8	16.4	16.5	16.2	15.3	15.4	14.8	14.8	15.3	15.7
GUY	16.2	16.2	16.0	15.5	15.2	15.2	15.5	15.3	14.6	14.7	14.6	15.4
HAL	14.1	13.8	13.7	14.1	13.5	13.4	13.3	13.4	13.3	13.3	13.6	13.6
HCO	17.0	16.7	16.9	17.4	17.2	16.9	16.9	16.8	16.3	16.3	16.5	16.8
HAN	18.6	18.2	17.3	17.5	18.0	17.8	17.1	16.8	16.4	16.3	17.3	17.4
INV	16.1	15.4	15.9	16.0	16.0	16.3	16.2	15.8	15.5	15.1	15.2	15.8
KIN	17.2	17.1	16.9	17.0	16.6	16.8	16.7	16.3	15.6	15.8	16.4	16.6
LUN	18.5	18.1	17.7	17.6	17.8	17.4	17.8	17.4	17.0	16.7	17.0	17.5
N-V	17.3	17.2	16.7	16.8	16.7	16.5	16.5	16.6	16.3	15.8	15.6	16.5
PIC	19.6	19.3	18.0	17.6	17.3	17.4	17.1	16.9	16.9	16.5	16.9	17.6
QUE	18.6	18.6	18.0	17.4	17.4	16.7	16.7	16.5	15.3	15.7	15.8	17.0
RIC	14.8	14.1	14.5	15.6	15.6	15.2	14.5	14.1	13.5	13.7	13.5	14.5
SHE	17.7	17.7	17.7	17.2	17.9	17.4	17.1	17.6	17.9	17.1	17.0	17.5
YAR	18.3	17.8	16.9	17.4	17.5	17.2	17.9	17.7	17.3	17.1	17.2	17.5
N.S.	17.0	16.8	16.5	16.7	16.5	16.4	16.4	16.2	15.8	15.7	15.9	16.4

** 'Teacher' in the ratio includes all professional teaching staff; including, superintendants and principals*

Appendix R-2



Data Source: Dept. of Education

Appendix R-3

Teacher Assistant Survey

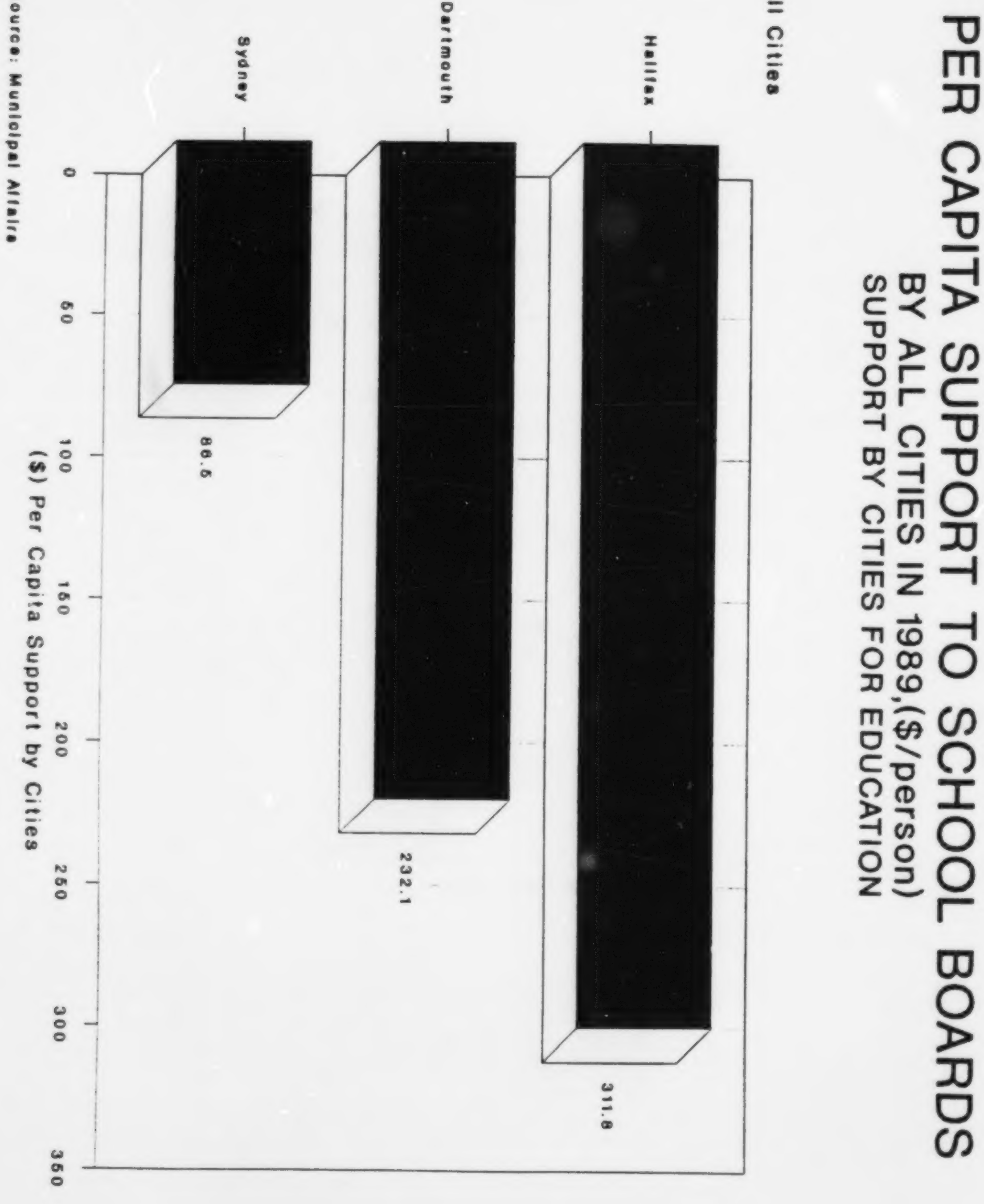
Source: Lunenburg District School Board

School Board	Total No. of Students Enrolled	No. of FTE Teacher Assistants	Ratio Students to Assistants
Annapolis	4,069	29.42	138.31 to 1
Antigonish	4,227	15.10	279.93 to 1
Cape Breton	19,015	44.00	432.16 to 1
Colchester-E.Hants	13,164	35.00	376.11 to 1
Clare-Argyle	3,110	8.00	388.75 to 1
Cumberland	6,136	19.20	319.58 to 1
Dartmouth	10,645	49.80	213.76 to 1
Digby	2,043	no data	- to 1
Guysborough	2,447	7.50	326.27 to 1
Hfx Co/Bedford	30,523	no data	- to 1
Halifax City	14,267	42.00	339.69 to 1
Hants West	3,485	22.68	153.66 to 1
Inverness	4,473	10.60	421.98 to 1
Kings	11,430	73.00	156.58 to 1
Lunenburg	8,324	30.75 *	270.70 to 1
Northside-Victoria	6,967	18.00	387.06 to 1
Pictou	10,324	35.00	294.97 to 1
Queens	2,226	8.00	278.25 to 1
Richmond	2,261	4.50	502.44 to 1
Shelburne	3,069	9.00	341.00 to 1
Yarmouth	3,350	15.00	223.33 to 1

* Includes two .5 additions added by School Board motion on January 21, 1992

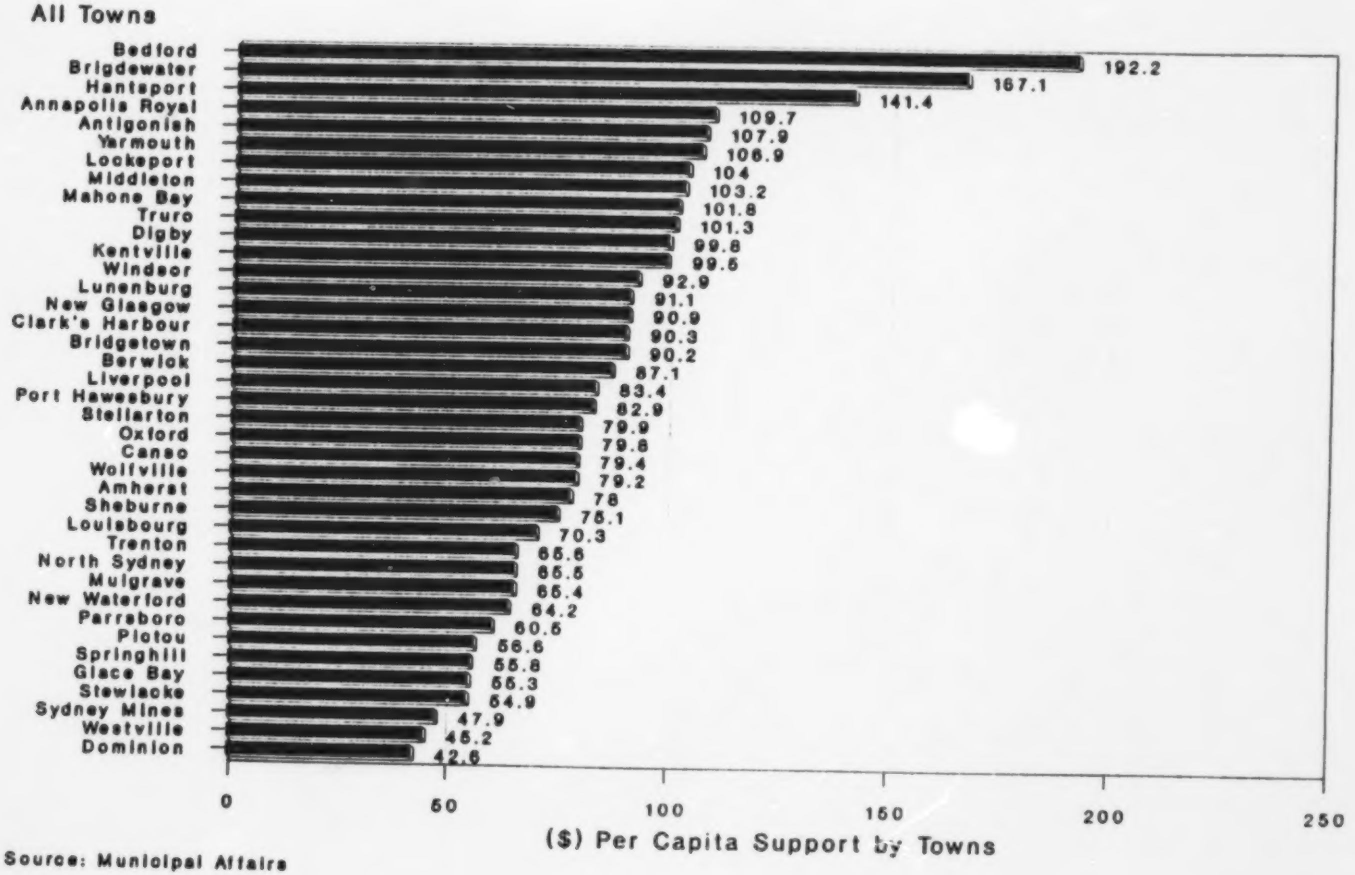
The Committee acknowledges the efforts of the Lunenburg County District School Board for bringing this chart to the attention of the Committee.

Appendix S-1


PER CAPITA SUPPORT TO SCHOOL BOARDS
BY ALL CITIES IN 1989,($/person)
SUPPORT BY CITIES FOR EDUCATION
All Cities
Halifax
Dartmouth
Sydney
86.5
232.1
311.8
0
50
100
150
200
250
300
350
($) Per Capita Support by Cities
Data Source: Municipal Affairs

Appendix S–2

PER CAPITA SUPPORT TO SCHOOL BOARDS
BY ALL TOWNS IN 1989, ($/person)
SUPPORT BY TOWNS FOR EDUCATION



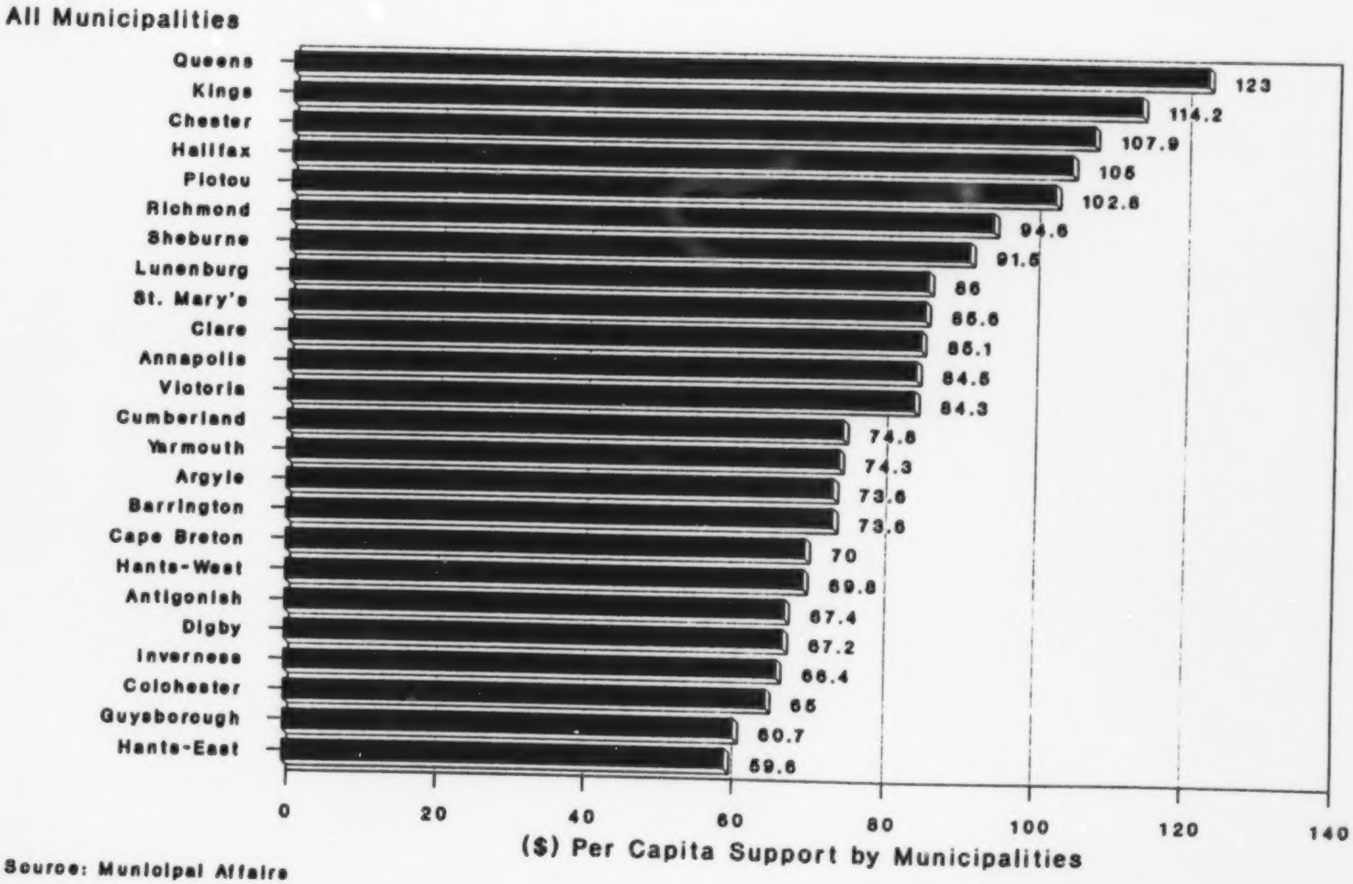
Data Source: Municipal Affairs

Appendix S-3

PER CAPITA SUPPORT TO SCHOOL BOARDS

BY ALL MUNICIPALITIES IN 1989,($/person)

SUPPORT BY MUNICIPALITIES FOR EDUCATION



Data Source: Municipal Affairs

Appendix S-4

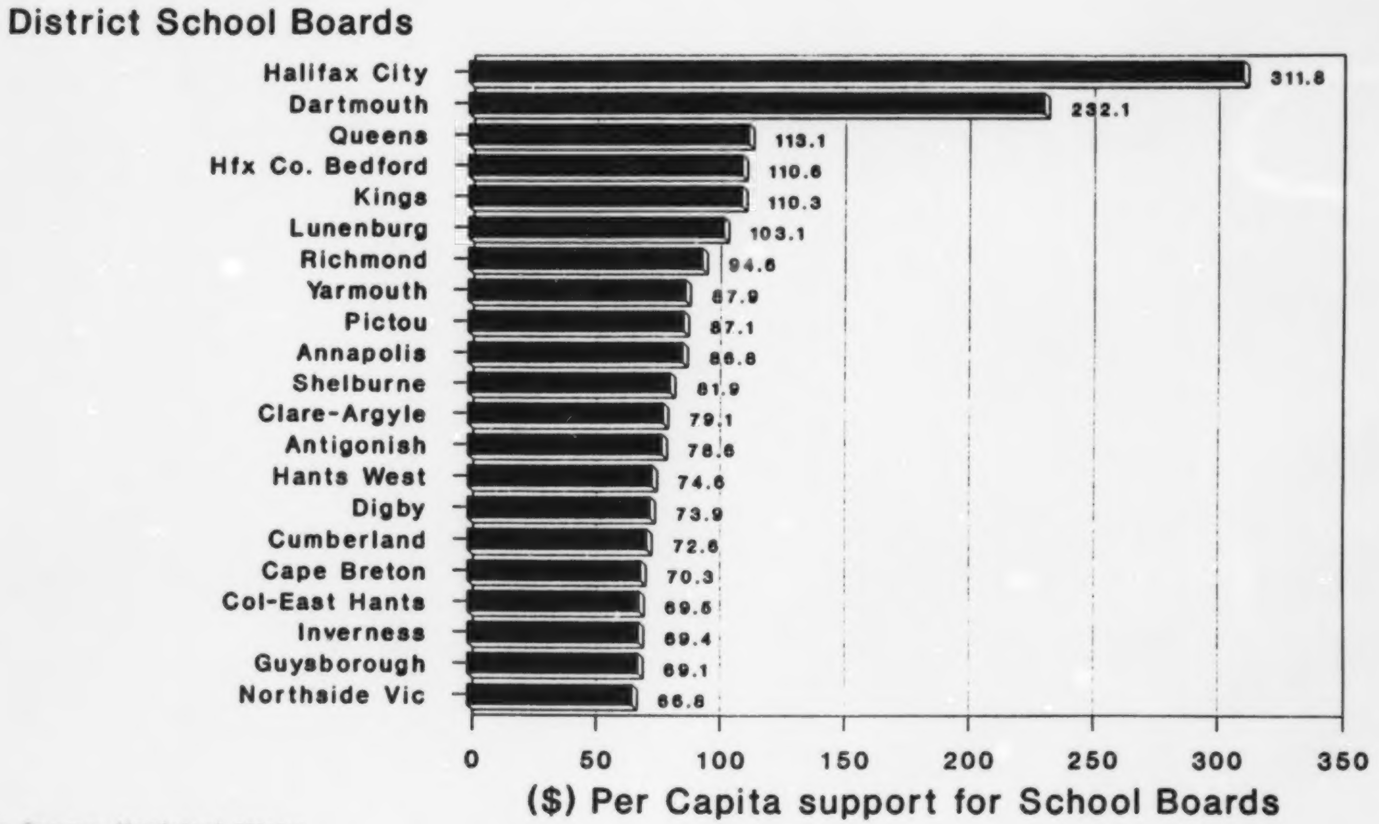
District School Boards in Nova Scotia	Municipal Units which contribute into each District School Board
Annapolis District School Board	*Town of Annapolis Royal* *Municipality of Annapolis* *Town of Middleton* *Town of Bridgetown*
Antigonish District School Board	*Town of Antigonish* *Municipality of Antigonish*
Cape-Breton School Board	*Town of New Waterford* *Municipality of Cape Breton* *Town of Glace Bay* *Town of Louisburg* *City of Sydney* *Town of Dominion*
Colchester-East Hants District School Board	*Town of Stewiacke* *Town of Truro* *Municipality of Colchester* *Municipality of Hant-East*
Clare-Argyle School Board	*Municipality of Clare* *Municipality of Argyle*
Cumberland District School Board	*Municipality of Cumberland* *Town of Springhill* *Town of Amherst* *Town of Oxford* *Town of Parrsboro*
Dartmouth District School Board	*City of Dartmouth*
Digby District School Board	*Municipality of Digby* *Town of Digby*
Guysborough County District School Board	*Municipality of Guysborough* *Municipality of St. Mary's* *Town of Mulgrave* *Town of Canso*
Halifax County-Bedford District School Board	*Municipality of Halifax* *Town of Bedford*
Halifax City School Board	*City of Halifax*

Hants West District School Board	*Town of Windsor* *Municipality of Hant-West*
Inverness District School Board	*Municipality of Inverness* *Town of Port Hawesbury*
Kings County District School Board	*Town of Kentville* *Town of Hantsport* *Municipality of Kings* *Town of Berwick* *Town of Wolfville*
Lunenburg County District School Board	*Town of Lunenburg* *Municipality of Lunenburg* *Town of Mahone Bay* *Town of Bridgewater* *Municipality of Chester*
Northside-Victoria District School Board	*Municipality of Victoria* *Town of North Sydney* *Town of Sydney Mines*
Pictou District School Board	*Town of Trenton* *Municipality of Pictou* *Town of New Glasgow* *Town of Westville* *Town of Pictou* *Town of Stellarton*
Queens District School Board	*Municipality of Queens* *Town of Liverpool*
Richmond District School Board	*Municipality of Richmond*
Shelburne County District School Board	*Town of Clark's Harbour* *Town of Shelburne* *Municipality of Shelburne* *Municipality of Barrington* *Town of Lockeport*
Yarmouth District School Board	*Municipality of Yarmouth* *Town of Yarmouth*

Appendix S-5

RANKING SUPPORT FOR SCHOOL BOARDS

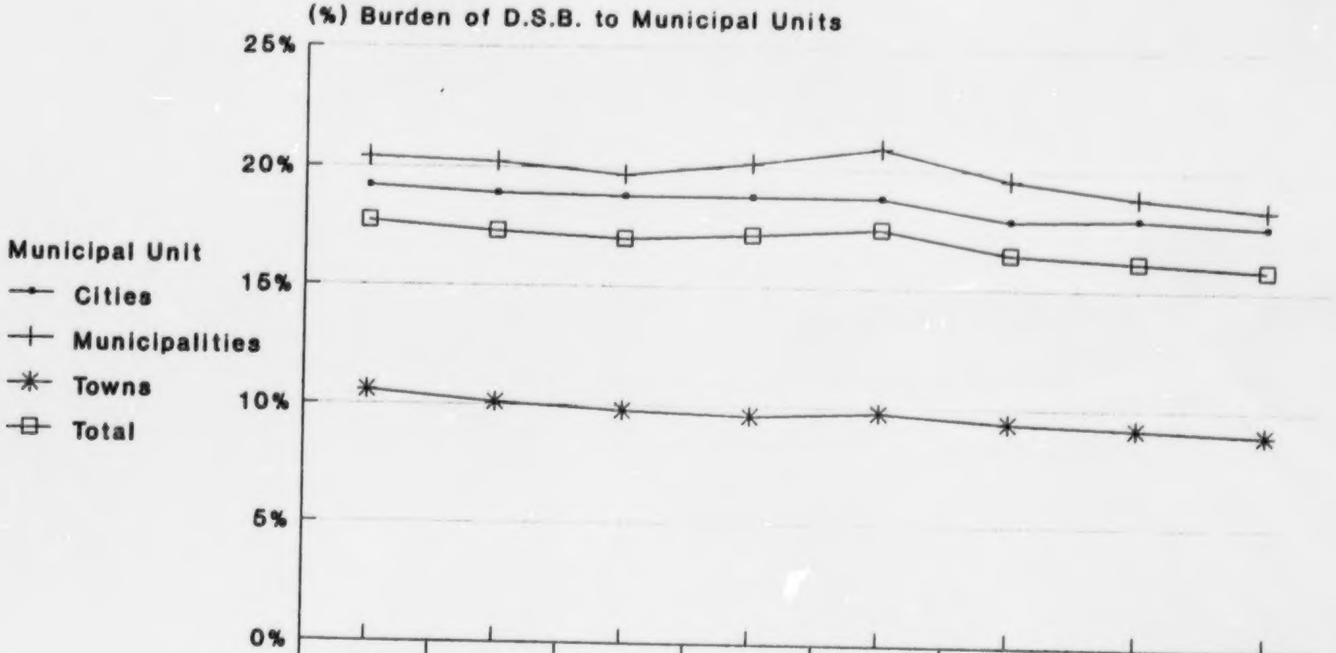
From Municipal Units
Appropriations per Capita (1989)



Data Source: Municipal Affairs

Appendix T-1

APPROPRIATIONS TO DISTRICT SCHOOL BOARDS
BY TYPE OF MUNICIPAL UNIT, 1982/89
% of Total Expenditures of Unit



	1982	1983	1984	1985	1986	1987	1988	1989
Cities	19.2%	18.9%	18.8%	18.8%	18.8%	17.9%	18%	17.7%
Municipalities	20.4%	20.2%	19.7%	20.2%	20.9%	19.6%	18.9%	18.4%
Towns	10.6%	10.1%	9.8%	9.6%	9.8%	9.4%	9.2%	9%
Total	17.7%	17.3%	17%	17.2%	17.5%	16.5%	16.2%	15.9%

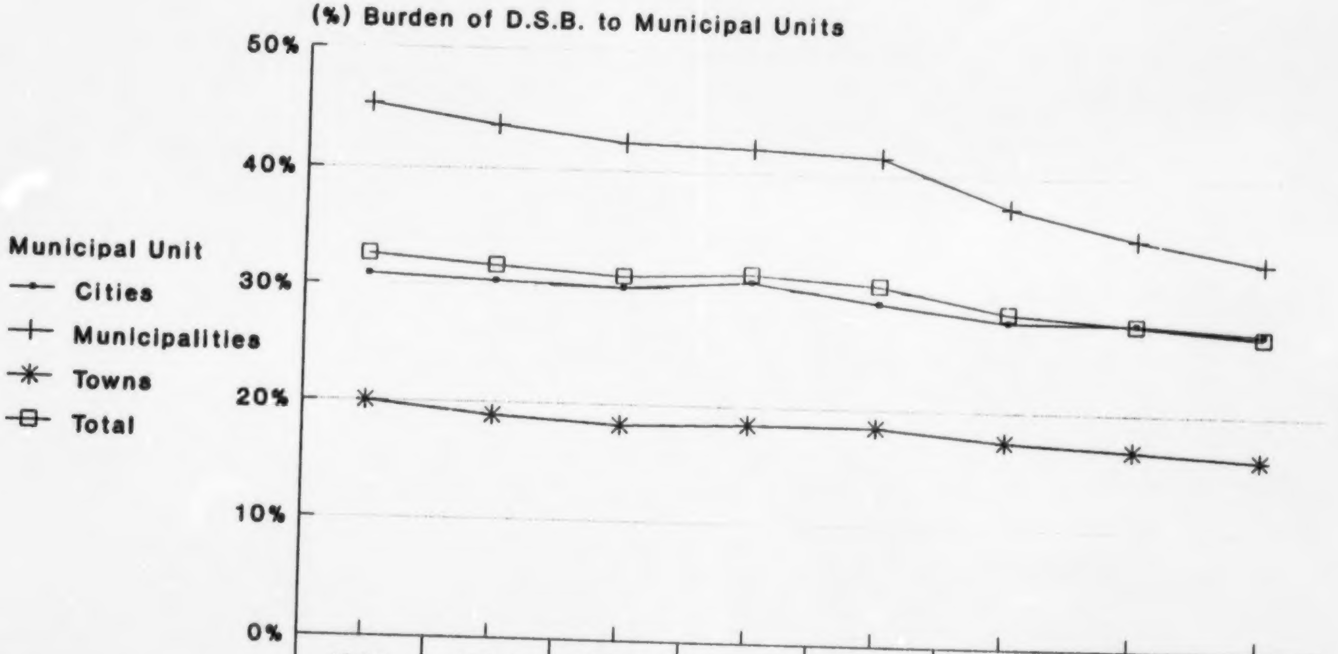
Annual

Data Source: Municipal Affairs

APPROPRIATIONS TO DISTRICT SCHOOL BOARDS

BY TYPE OF MUNICIPAL UNIT, 1982/89

% of Total Taxes Collected in each Unit



	1982	1983	1984	1985	1986	1987	1988	1989
Cities	30.9%	30.4%	30%	30.7%	29.1%	27.7%	27.7%	27%
Municipalities	45.3%	43.6%	42.3%	42%	41.5%	37.4%	34.9%	33%
Towns	20%	18.9%	18.3%	18.5%	18.5%	17.5%	16.9%	16.3%
Total	32.6%	31.7%	31%	31.4%	30.6%	28.4%	27.6%	26.7%

Data Source: Municipal Affairs

Appendix U

1991 Nova Scotia School Board Elections

	# of Members	Returning Members	New Members	Male	Female
Annapolis	8	6	2	3	5
Antigonish	9	4	5	7	2
Cape Breton	12	3	9	6	6
Colches.-E.Hants	10	4	6	4	6
Clare-Argyle	8	3	5	5	3
Cumberland	12	5	7	9	3
Dartmouth	8	3	5	3	5
Digby	8	5	3	3	5
Guysborough	10	6	4	5	5
Hfx Co/Bedford	10	5	5	3	7
Halifax	8	2	6	5	3
Hants West	8	4	4	6	2
Inverness	9	3	6	7	2
Kings	11	7	4	3	8
Lunenburg	10	4	6	3	7
Northside-Vic.	8	4	4	7	1
Pictou	14	4	10	6	8
Queens	8	5	3	5	3
Richmond	9	4	5	5	4
Shelburne	12	7	5	2	10
Yarmouth	8	5	3	2	6
Conseil d'ecole du Grand Havre	5	0	5	5	0
TOTAL	205	93	112	104	101

Appendix V

WE PROPOSE THE FOLLOWING AMENDMENTS TO SECTION 55 AND SECTION 57 OF BILL NUMBER 147 IN ORDER TO ACCOMPLISH THIS:

(A) SECTION 55(7) - ADD THE FOLLOWING SUB-CLAUSES:

"(c) By notice in writing given to the teacher not later than the fifteenth day of May, layoff or terminate a permanent contract teacher due to a lack of funds or the discontinuation of instruction in a school, classroom or program."

"(d) A layoff or termination pursuant to subsection (c) will be carried out in accordance with the staff reduction procedures set out in the collective agreements made pursuant to the Teachers' Collective Bargaining Act. Where a Collective Agreement does not contain provisions relating to the staff reduction of permanent contract teachers, it shall be deemed to contain the provisions of section 57 of this Act. A provision in a collective agreement, whether entered into or in effect before or after the coming into force of this Act, that purports to prevent a school board from exercising its rights pursuant to this section, is of no force and effect."

(B) SECTION 57 - DELETE AND REPLACE WITH:

(1) The school board shall first attempt to reduce its teaching force by natural attrition. It shall then reduce its teaching force by terminating term contract and probationary teachers, in that order.

(2) If further reductions are necessary, the school board may lay off permanent contract teachers but shall make every effort to ensure that the teacher(s) with the least seniority are affected by the layoff, provided the remaining teachers are qualified and able to perform the remaining work. The school boards shall have the authority to re-organize their schools, classrooms and programs in order to accomplish this.

(3) Permanent contract teachers shall be given priority in re-employment to term or permanent positions with the school board for a period of two years from their effective date of layoff.

(4) Notwithstanding that a permanent contract teacher has been laid off by a school board pursuant to this section, that teacher's permanent contract will be deemed to have been terminated where:

(a) The laid off teacher accepts an equivalent professional position with another employer;

(b) Declines re-employment with the school board; or

(c) Remains unemployed at the end of the two-year period referred to in subsection (3).

(5) A provision in a collective agreement or this Act, whether entered into or in effect before or after the coming into force of this Act, that purports to prevent a school board from exercising its rights pursuant to this section, is of no force and effect.

Appendix W-1

OPERATING COST PER PUPIL

By School Board

Source: Dept. of Education

BOARD	1982	1983	1984	1985	1986	1987	1988	1989
Annapolis	$2,314	$2,696	$2,946	$3,175	$3,194	$3,388	$3,688	$3,980
Antigonish	$2,413	$2,721	$2,853	$3,112	$3,250	$3,464	$3,616	$3,831
Cape Breton	$2,390	$2,640	$2,845	$3,126	$3,221	$3,320	$3,534	$3,756
Clare-Argyle	$2,643	$3,080	$3,367	$3,587	$3,687	$3,882	$4,183	$4,455
Col.-E. Hants	$2,258	$2,598	$2,723	$2,948	$3,063	$3,215	$3,412	$3,785
Cumberland	$2,388	$2,709	$2,844	$3,107	$3,183	$3,386	$3,591	$3,834
Dartmouth	$2,748	$3,078	$3,274	$3,577	$3,660	$3,849	$4,076	$4,356
Digby	$2,394	$2,778	$2,964	$3,130	$3,469	$3,685	$4,049	$4,267
Guysborough	$2,586	$2,965	$3,281	$3,597	$3,764	$3,908	$4,229	$4,525
Halifax	$3,196	$3,504	$3,796	$4,116	$4,370	$4,506	$4,769	$4,969
Hfx Co.Bedford	$2,471	$2,756	$2,899	$3,112	$3,210	$3,397	$3,621	$3,810
Hants West	$2,340	$2,657	$2,771	$2,913	$3,140	$3,283	$3,590	$3,840
Inverness	$2,721	$3,097	$3,217	$3,436	$3,616	$3,778	$4,049	$4,369
Kings	$2,541	$2,802	$3,036	$3,195	$3,325	$3,556	$3,824	$4,055
Lunenburg	$2,262	$2,612	$2,723	$2,977	$3,062	$3,232	$3,407	$3,673
Northside-Vic	$2,536	$2,968	$3,122	$3,355	$3,505	$3,611	$3,811	$4,073
Pictou	$2,124	$2,517	$2,707	$2,959	$3,078	$3,282	$3,481	$3,737
Queens	$2,239	$2,498	$2,664	$2,900	$3,097	$3,222	$3,613	$3,906
Richmond	$2,835	$3,089	$3,301	$3,598	$3,922	$4,215	$4,572	$4,876
Shelburne	$2,250	$2,665	$2,802	$2,991	$3,265	$3,337	$3,538	$3,824
Yarmouth	$2,414	$2,636	$2,829	$3,060	$3,104	$3,208	$3,413	$3,593
TOTAL	$2,506	$2,824	$3,005	$3,247	$3,376	$3,540	$3,771	$4,018

Ranking School Boards by Highest Cost/Pupil in 1990 & by Fastest Growing Cost/Pupil

Cost to Pupil	Year 1990	Growth in Cost to Pupil	1990as a %of 1982
Richmond	$5,238	Digby	192.4%
Halifax	$5,227	Queens	188.9%
Guysborough	$4,856	Guysborough	187.8%
Clare-Argyle	$4,698	Pictou	186.2%
Digby	$4,606	Richmond	184.8%
Inverness	$4,555	Shelburne	184.1%
Dartmouth	$4,469	Annapolis	182.5%
Northside-Vic	$4,324	Clare-Argyle	177.8%
Queens	$4,229	Hants West	175.5%
Annapolis	$4,222	Col.-E. Hants	173.8%
Kings	$4,214	Antigonish	172.9%
Antigonish	$4,171	Cumberland	170.6%
Shelburne	$4,143	Northside-Vic	170.5%
Hants West	$4,106	Lunenburg	167.9%
Cumberland	$4,073	Cape Breton	167.7%
Cape Breton	$4,007	Inverness	167.4%
Pictou	$3,954	Kings	165.8%
Hfx Co.Bedfor	$3,932	Halifax	163.5%
Col.-E. Hants	$3,924	Dartmouth	162.6%
Lunenburg	$3,798	Hfx Co.Bedfor	159.1%
Yarmouth	$3,783	Yarmouth	156.7%
	$4,217		168.3%

Appendix W-2

Personal Income Taxes, by Province

1988 Taxation Year
Source: The National Finances: Provincial & Municipal Finances 1989

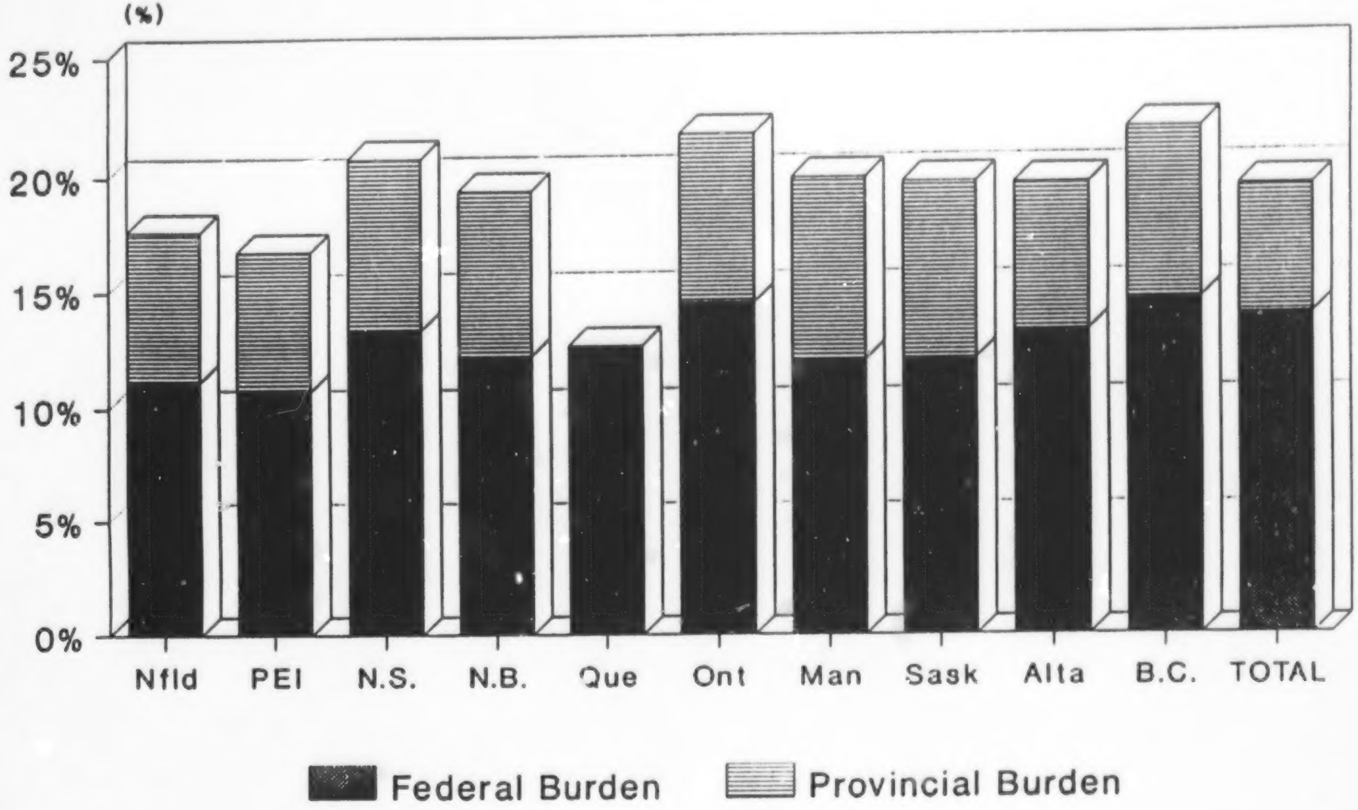
	Taxpayers	Federal Inc. Tax (Mill$)	Provin. Inc. Tax (Mill$)	Federal per Taxpayer	Provin. per Taxpayer	Total per Taxpayer	Median Incomes ($)	Fed. as %of Median	Pro. as %of Median	Total as %of Median
Nfld	224050.0	558.2	327.2	2491.4	1460.4	3951.8	22389.0	0.111	0.065	0.177
PEI	57400.0	138.9	78.4	2419.9	1365.9	3785.7	22578.0	0.107	0.060	0.168
N.S.	394310.0	1219.4	675.2	3092.5	1712.4	4804.8	23214.0	0.133	0.074	0.207
N.B.	307770.0	868.5	509.4	2821.9	1655.1	4477.0	23164.0	0.122	0.071	0.193
Que *	3171880.0	10151.5	3.8	3200.5	N/A	3200.5	25415.0	0.126	N/A	0.126
Ont	5037350.0	21948.3	10994.3	4357.1	2182.6	6539.7	30199.0	0.144	0.072	0.217
Manl	505170.0	1494.0	987.6	2957.4	1955.0	4912.4	24784.0	0.119	0.079	0.198
Sask	436520.0	1268.3	800.8	2905.5	1834.5	4740.0	24163.0	0.120	0.076	0.196
Alta	1171090.0	4482.7	2157.1	3827.8	1842.0	5669.8	28986.0	0.132	0.064	0.196
B.C.	1482010.0	5609.7	2813.7	3785.2	1898.6	5683.8	26060.0	0.145	0.073	0.218
TOTAL	12843870.0	48034.4	19417.7	3739.9	1511.8	5251.7	27092.0	0.138	0.056	0.194

** Quebec collects its own Personal Income Tax*

Appendix W-3

INCOME TAX AS A % OF MEDIAN INCOME

by Province 1988 Taxation Year *

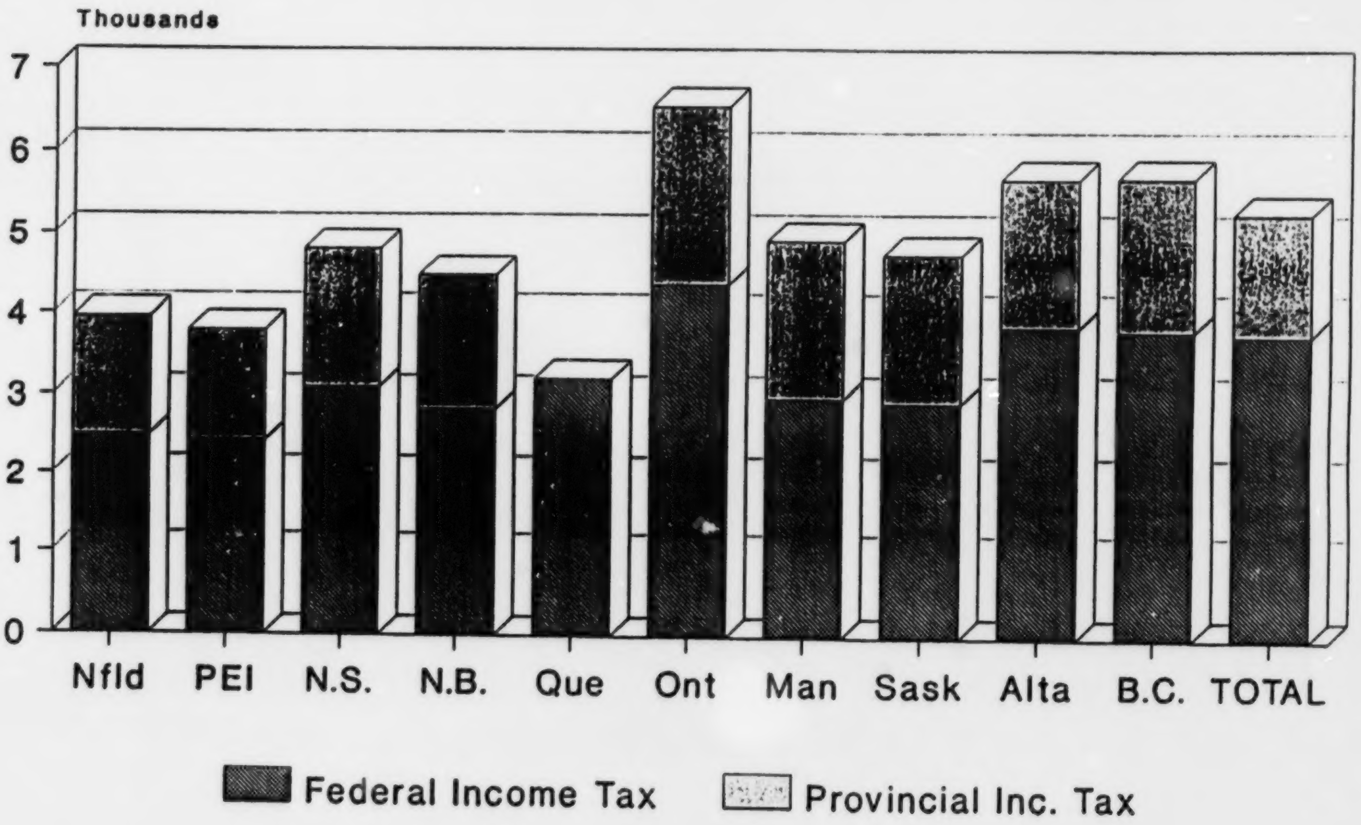


• Quebec collects its own Prov Taxes
Source: 1989 Provincial & Municipal Fin.

Appendix W-4

PERSONAL INCOME TAX PER TAXPAYER

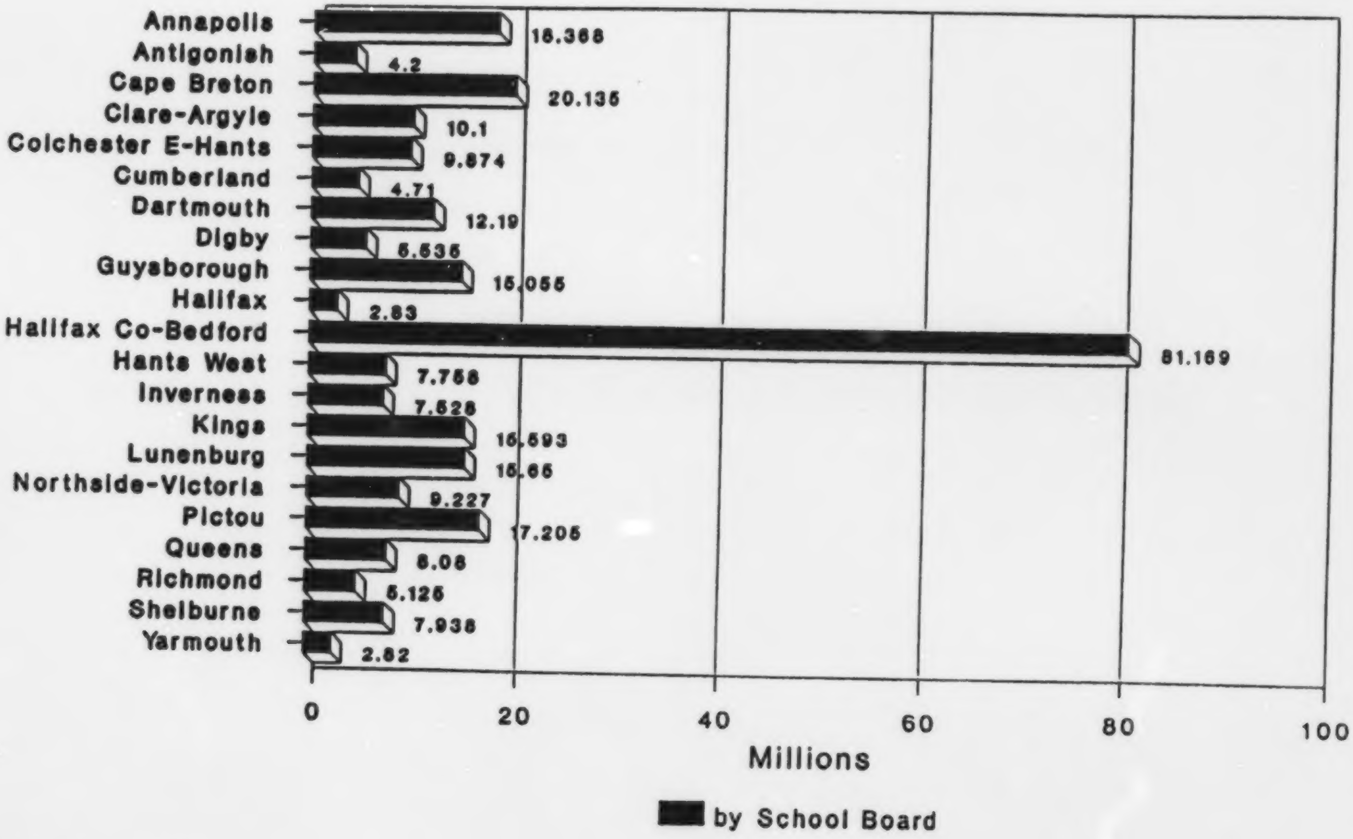
by Province 1988 Taxation Year *



* Quebec collects its own Prov Taxes
Source: 1989 Provincial & Municipal Fin.

Appendix W-5

SCHOOL CONSTRUCTION SUMMARY
BY SCHOOL BOARD

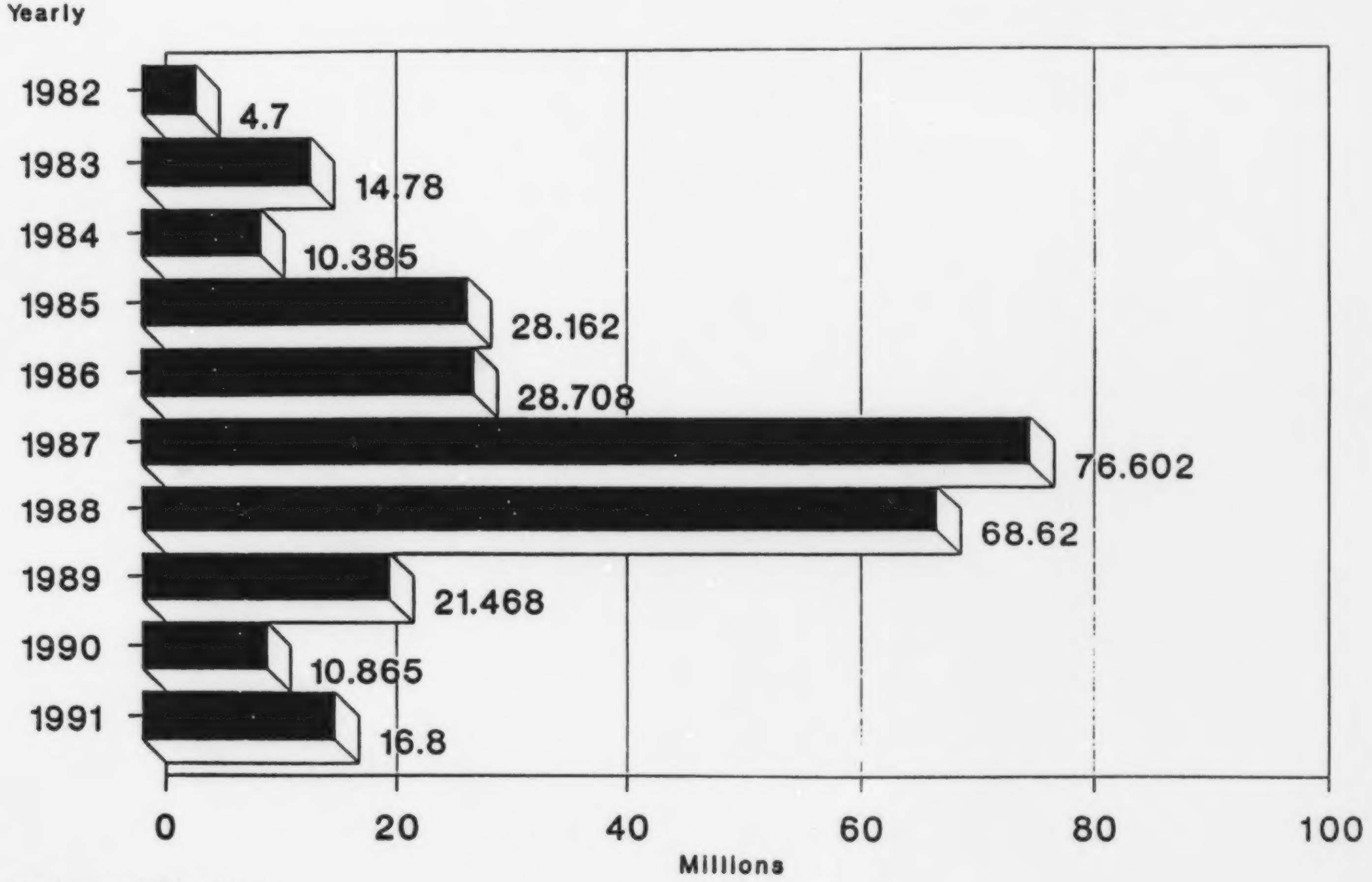


Source: Dept. of Education

Appendix W-6

SCHOOL CONSTRUCTION SUMMARY, BY YEAR

Nova Scotia

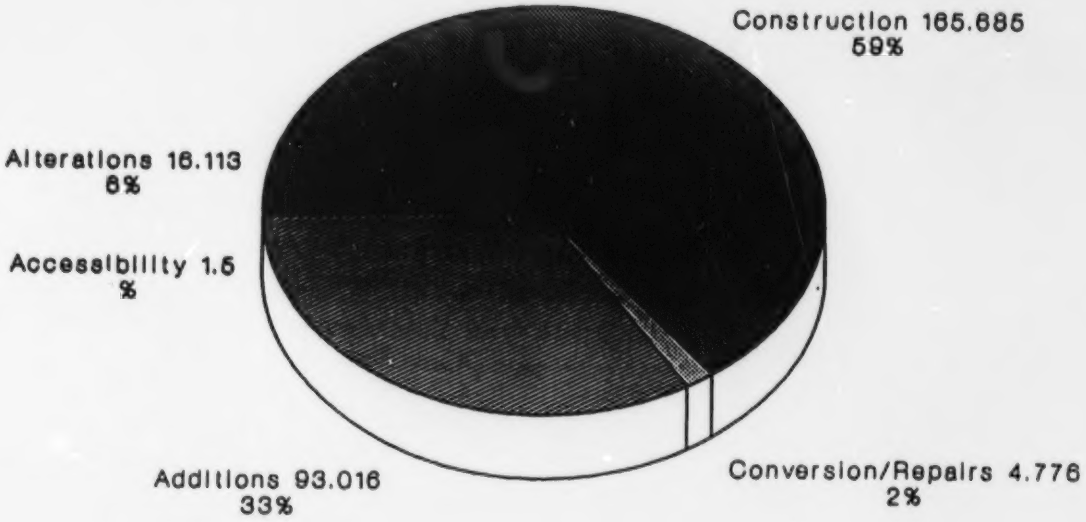


Source: Dept. of Education

Appendix W-7

SCHOOL CONSTRUCTION, BY FUNCTION

NOVA SCOTIA (1982-91) ($Millions)



Source: Dept. of Education

281.09 Million Dollars in Total